

TREASURY DEPARTMENT
UNITED STATES PUBLIC HEALTH SERVICE
HUGH S. CUMMING, SURGEON GENERAL

**STATE LAWS AND REGULATIONS
PERTAINING TO PUBLIC HEALTH**

1917

COMPILED BY

JASON WATERMAN, LL. B.

AND

WILLIAM FOWLER, LL. B.

United States Public Health Service

SUPPLEMENT No. 37
TO THE
PUBLIC HEALTH REPORTS



WASHINGTON
GOVERNMENT PRINTING OFFICE
1920

UNITED STATES PUBLIC HEALTH SERVICE.

HUGH S. CUMMING, *Surgeon General.*

DIVISION OF SANITARY REPORTS AND STATISTICS.

ASST. SURG. GEN. B. S. WARREN, *Chief of Division.*

State and municipal health departments and reference libraries can obtain copies of this publication by addressing the Surgeon General, United States Public Health Service, Washington.

The PUBLIC HEALTH REPORTS are issued weekly by the United States Public Health Service through its Division of Sanitary Reports and Statistics, pursuant to acts of Congress approved February 15, 1893, and August 14, 1912.

They contain: (1) Current information of the prevalence and geographic distribution of preventable diseases in the United States in so far as data are obtainable, and of cholera, plague, smallpox, typhus fever, yellow fever, and other communicable diseases throughout the world. (2) Articles relating to the cause, prevention, or control of disease. (3) Other pertinent information regarding sanitation and the conservation of the public health.

The PUBLIC HEALTH REPORTS are intended primarily for distribution to health officers, members of boards or departments of health, and those directly or indirectly engaged in or connected with public health or sanitary work. Articles of general or special interest are issued as reprints from the PUBLIC HEALTH REPORTS or as supplements, and in these forms are available for general distribution to those desiring them.

Requests for and communications regarding the PUBLIC HEALTH REPORTS, reprints, or supplements should be addressed to the Surgeon General, United States Public Health Service, Washington, D. C.

✓ US.96 Pers
no. 37-38

CONTENTS.

For arrangement of matter by subjects, consult the index.

	Page.
Alaska:	
Salaries of assistant commissioners of health—Traveling expenses of commissioner of health.....	21
Mines—Privies—Ventilation.....	21
Arizona:	
Common drinking cups and common towels—Prohibited in public places ..	22
Arkansas:	
Bureau of sanitation—Establishment—Employees. Hotels, restaurants, and rooming houses—License.....	23
Births and deaths—Registration districts—Appointment and fees of local registrars. Marriages—Registration.....	25
California:	
Rocky Mountain spotted fever, paratyphoid fever, lobar pneumonia—Made notifiable.....	27
Lobar pneumonia—Substituted for "pneumonia" in list of reportable diseases.....	27
Certain communicable diseases—Notification of cases—Instructions to household—Investigation by health authorities—Isolation—Disinfection—Contacts—Attendance at schools and children's gatherings—Incubation periods.....	27
Smallpox—Notification of cases—Precautions by physician—Instructions to household—Investigation by health officer—Quarantine—Contacts—Disinfection—Vaccination.....	29
Communicable diseases—Notification of cases—Measures to prevent spread. Local health officers—Appointment—Duties. Supervision of sanitation in cities and towns.....	32
Poliomyelitis and cerebrospinal meningitis—Required to be quarantined ..	34
Leprosy—Transportation of infected persons—Escape from isolation to be reported.....	34
Venereal diseases—Notification of cases—Specimens for diagnosis—Instructions to patient—Local health officers appointed inspectors—Investigation and control by local health officers—Reports of unusual prevalence or conditions.....	34
Venereal diseases—Standards for dispensaries and hospitals.....	37
Communicable diseases—Pesthouses or hospitals—Prohibition against maintenance in cities and towns removed.....	38
Occupational diseases—Act requiring reporting of, repealed	38
Rodents, insects, and other vermin—Extermination	38
Bureau of vital statistics—Maintenance—Duty of State registrar.....	40
State board of health—Employees—Appointment and compensation.....	40
Health officers—Appointment in unincorporated cities and towns—Law repealed.....	40

California—Continued.

	Page.
Local health districts—Organization, government, and dissolution. Local district health officers—Appointment, powers, and duties.....	40
Local milk inspection departments—Approval by State dairy bureau—Dairy inspectors—Grading of milk—Date of pasteurization required—Bacteria counts.....	45
Tuberculin testing of dairy herds.....	46
Milk, butter, ice cream, and other milk products—Production, care, and sale—Grading—Local inspection service.....	46
Slaughtering—Inspection of animals—Fees—Marking of carcasses.....	51
Eggs which have been in transit 31 days or more—Sale.....	52
Shellfish—Taking from contaminated sources prohibited—Duties of State board of health.....	53
Foods and drugs—Standard of purity—Analyses—Condemnation. State laboratory—Establishment—Appointment and duties of officers.....	54
Water supplies—Prevention of pollution.....	55
Water supplies—Furnishing impure water prohibited.....	58
Common drinking cups—Prohibited in public places—Drinking water receptacles.....	60
Drinking receptacles—Sterilization.....	61
Common towels—Prohibited in public places.....	61
Births, deaths, and marriages—Registration—Establishment of bureau of vital statistics—Appointment, powers, and duties of State registrar—Burial and removal permits—Certified copies of records.....	61
Hotels—Sanitary regulation—Bedding—Ventilation—Individual towels..	69
Swimming pools and bathing places—Supervision by State board of health—Permits for construction and operation—Nuisances under certain conditions.....	70
Nurses—Examination and registration—False representations and impersonations prohibited—Collection, investment, and disbursement of funds.....	71
Plumbers—Examination, certification, and registration.....	72
Dead bodies—Disinterment.....	73
Laundry sacks—Washing.....	73
Social insurance—Investigation by commission.....	73
Wiping rags—Must not be washed by machinery used for washing clothing.	74
Factories—State and local health authorities to be notified of existence of new factories.....	74
Canneries—Floors—Toilets—Sanitary napkins—Drinking water—Common drinking cups prohibited—Dressing rooms—Time for meals.....	74
Colorado:	
Habit-forming drugs—Sale and dispensing.....	77
Cannabis sativa—Use or cultivation unlawful.....	77
Plumbing—Inspection and regulation—Examination and licensing of plumbers.....	78
Connecticut:	
Venereal diseases—Investigation of, in State institutions by commission..	82
Tuberculosis—Private sanatoriums—Inspection—State aid.....	82
State department of health—Organization—Commissioner of health—Public health council—Sanitary code—Sanitary districts.....	82
Milk and cream—Board to regulate production, care, and sale—Appeals to and from board—Sale of insanitary dairy products prohibited.....	84
Milk—Sale.....	85
Milk and cream—Examination of persons testing.....	85

Connecticut—Continued.

	Page.
Eggs—Marking.....	86
Oysters—Production and preparation for shipment—Supervision by State board of health.....	86
Bakeries—Construction—Certificates of inspection.....	86
Drinking water and soda water—Bottling and sale.....	87
Births—Registration.....	87
Mosquito breeding places—Elimination.....	88
Refuse—Removal from jointly owned land.....	89
Sewage disposal.....	89
Sewage and refuse disposal—Assistance to persons, corporations, or municipalities by State board of health—Commission to assist State board of health.....	90
Disinfectants—Labeling—Misbranding.....	90
Tenement, lodging, and boarding houses—Cleanliness—Receptacles for garbage, refuse, and ashes.....	90
Health insurance and pasteurization plants—Investigation by commission	91

Delaware:

Ophthalmia neonatorum—Notification of cases—Prevention.....	92
State board of health—Organization—Secretary—Compensation of members—Meetings.....	92
State board of health—Seals—Powers and duties—Reports to legislature—Annual meeting. Local boards of health—Appointment—Officers.....	93
State board of health—Committee to investigate administration of.....	94
State tuberculosis commission—Powers and duties—Care of indigent patients—Sanatorium for colored persons—Appropriations.....	94
Places where females are employed—Water-closets and privies—Seats—Dressing rooms—Lunch rooms—Ventilation—Heating—Cleanliness—Exhaust fans—Drinking water—Duties of inspectors of labor commission	95
Children—Employment in certain industries prohibited.....	97

District of Columbia:

Dogs—Muzzling required.....	98
-----------------------------	----

Florida:

Communicable diseases—Notification of cases.....	99
Dead bodies—Transportation.....	101

Georgia:

List of notifiable diseases.....	103
District commissioners of health—Certain city health officers may be appointed—Salaries.....	103

Hawaii:

Anthrax and hemorrhagic septicemia—Control, suppression, and eradication.....	104
Dairy cattle—Tuberculin test—Branding, appraisal, and slaughter of diseased animals—Reimbursement of owners.....	104
Foodstuffs—Adulteration and misbranding.....	105
Deaths—Registration—Burial and removal permits.....	106
Herbs and plants—Investigation of medicinal properties and value of—Appropriation.....	106

Idaho:

Communicable diseases—Notification of cases—Isolation—Quarantine—Placarding—School attendance—Disinfection—Burial—Library books.	107
County boards of health—Members—Duties. County health officers—Appointment—Duties.....	109

Idaho—Continued.	Page.
Milk and cream—Sale from places where communicable diseases exist prohibited—Notification of cases of communicable diseases on dairy farms.....	110
Dairy products and foodstuffs—Sale from premises where communicable diseases exist prohibited.....	110
Common drinking cups and common towels—Prohibited in public places.	110
Privies—Construction.....	110
Schools—Construction—Drinking water—Water-closets and privies.....	111
Schools—Overcrowding prohibited—Cleaning—Ventilation—Drinking water—Common drinking cups and common towels prohibited—Water-closets and privies.....	112
Dust—Prevention of, when drilling in mines.....	112
Domestic animals—Disposal of dead bodies.....	113
Manure—Receptacles for.....	113
Public institutions and schools in counties—Examination into sanitary condition of.....	113
Offensive trades—Permit required.....	113
Illinois:	
Tuberculosis—Notification of cases—Instructions to household—Inspection of home by health officer—Sputum examinations—Precautions by patient—Sale of foodstuffs from premises where disease exists—School attendance—Infected persons prohibited from nursing—Notification of death or removal—Disinfection.....	114
Typhus fever—Notification of cases—Precautions by physician or attendant—Delousing—Placarding—Quarantine—Removal of infected persons—Disinfection. Notification of persons or premises infested with body lice—Quarantine—Placarding.....	116
Measles—Quarantine.....	119
Venereal diseases—Notification of cases—Placarding—Quarantine—Investigation—Control.....	119
State department of public health—Organization, powers, and duties.....	123
Public health districts—Organization—Members, powers, and duties of boards of health—Powers and duties of health officers—Taxes.....	128
Sanitary districts—Organization and management—Sewage disposal....	131
Tuberculosis sanatoriums in cities and villages—Organization, powers, and duties of board of directors—Appointment of employees.....	137
Tuberculosis sanatoriums in certain cities and villages—Increase of tax levy for maintenance of.....	138
Foodstuffs—Adulteration and misbranding. Eggs—Sale—Egg-breaking establishments.....	139
Wood alcohol—Sale or possession of preparations containing, for internal use prohibited—Labeling of wood alcohol or preparations containing same..	141
Births and deaths—Registration.....	142
Health insurance—Commission to investigate.....	143
Nuisances within one-half mile of military camp—Abatement.....	143
Children—Employment in certain occupations prohibited.....	144
Indiana:	
Tuberculosis—Notification of cases—Duties of State board of health—Disinfection.....	145
Leprosy—Notification of cases—Quarantine—Destruction of articles used by infected persons—Appropriation.....	146

Indiana—Continued.

Page.

Department of public sanitation in certain cities—Organization, powers, and duties of boards of sanitary commissioners—Sanitary districts—Sewage disposal.....	147
County tuberculosis hospitals—Establishment.....	160
Milk—Grading—Labeling.....	161
Buildings unfit for human habitation—Vacation—Abatement of nuisances.	162
Mattresses—Manufacture, labeling, and sale.....	163
Comfort stations and swimming pools—Certain cities authorized to construct and maintain.....	164
Advertisements—Untrue, deceptive, or misleading, prohibited.....	165

Iowa:

Quarantine officers—Appointment and removal—To be under civil service.	166
Births, deaths, marriages, and divorces—Registration.....	166
Mattresses and comforts—Manufacture, labeling, and sale.....	168
Advertisements—Untrue, deceptive, or misleading, prohibited.....	169

Kansas:

Communicable diseases—Powers of State board of health relative to—Penalty for certain offenses.....	171
Communicable diseases—Notification of cases—Quarantine—Placarding—Disinfection—Sale of dairy products—Attendance at schools and public gatherings—Funerals—Carriers—Travel of infected persons—Precautions against spread of venereal diseases—School sanitation.....	171
Tuberculosis—Admission and maintenance of patients at State sanatorium.....	182
Common carriers—Sanitary regulation of cars and depots—Control of communicable diseases.....	183
Mental defectives—Sterilization.....	186
Water supplies—Prevention of pollution.....	187
Marriages—Registration.....	187
Privies and cesspools—Location.....	187
Nuisances—Definition—Abatement.....	188
Public buildings—Sanitary control and inspection.....	188
Mausoleums and burial vaults—Construction and maintenance.....	188
Industrial camps—Permits—Sanitary regulation.....	189
Offensive trades—Sanitary regulation—Inspection. Slaughterhouses—Inspection.....	190
Noxious weeds—Destruction in certain cities.....	190

Louisiana:

Milk and milk products—Persons handling, prohibited from entering places where communicable disease exists or communicating with occupants of same.....	191
Milk—Production and sale—Construction of barns—Cleanliness—Water supply.....	191
Births and deaths—Preservation of records.....	191
Common hair brushes—Prohibited in public places.....	191
Hair brushes—Amendment to rules regulating barber shops.....	192
Poisonous patent medicines or compounds for destruction of vermin—Sale—Labeling.....	192

Maine:

Communicable diseases in unorganized townships—Notification of cases—Control.....	193
Venereal diseases in institutions—Notification of cases—Laboratory tests—Treatment—Isolation—Distribution of information.....	193

Maine—Continued.	Page.
Tuberculosis—Admission and maintenance of patients at State sanatoriums.....	195
State department of health—Creation—State commissioner of health—Public health council—District health officers.....	195
Dairy inspectors—Appointment, powers, and duties—Penalty for interference with.....	197
Water supplies—Prevention of pollution—Sewage and drainage disposal..	198
Water supplies—Penalty for pollution of.....	199
Births and deaths—Certified copies of records to be transmitted by town clerks to other towns in certain cases.....	200
Hotels—Disposal of garbage and refuse—Protection of foodstuffs—Employees—Cleanliness—Bed linen—Water supplies—Privies—Individual towels and drinking cups—Ventilation—Change of management to be reported—Inspection certificate.....	200
Children's homes and maternity hospitals—License.....	202
Children's homes and maternity hospitals—Definition of terms.....	202
Maryland:	
Pneumonia—Notification of cases—List of reportable diseases.....	203
Water supplies and foodstuffs—Penalty for pollution or contamination of..	203
Water-closets, privies, and cesspools—When declared nuisances—Abatement.....	203
Massachusetts:	
Communicable diseases—Notification of cases of certain diseases on premises where milk is handled for sale or when caused by infected milk....	206
Lobar pneumonia—Made notifiable.....	206
Venereal diseases—Made notifiable—List of notifiable diseases.....	206
Venereal diseases—Notification of cases—Advice to patients.....	206
Tuberculosis—Hospital care by counties of certain tuberculosis patients..	207
Tuberculosis—Subsides to cities and towns.....	208
State department of health—Powers and duties.....	209
District health officers—Annual reports of—Time for making.....	210
Milk—Classification and grading.....	210
Milk standards—Percentage of solids and fat required.....	211
Pasteurized milk—Definition—Sale.....	211
Dairy and live stock inspections—Fees for, prohibited.....	211
Sausage—When deemed to be adulterated.....	211
Manufacture of sausages or chopped meat, and egg breaking or canning establishments—Penalty for conducting, without a license.....	212
Vinegar—Taking of samples for analysis.....	212
Foods and drugs—Adulteration and misbranding.....	212
Habit-forming drugs—Sale and dispensing—Sale and possession of hypodermic instruments.....	217
Water supplies owned by individuals—State department of health authorized to make examinations of, and advise regarding.....	222
Drainage investigations—State department of health and State board of agriculture authorized to act jointly.....	222
Cantonment health work—Appropriations.....	223
Commission on social insurance—Investigations by.....	223
Michigan:	
Communicable disease carriers—Isolation or quarantine.....	224
Communicable diseases—Hospitalization—Payment for medical services and necessary supplies in indigent cases.....	224

Michigan—Continued.

	Page.
State board of health—Bacteriologist and assistant bacteriologists—Appointment, duties, and salaries—Appropriation.....	225
County tuberculosis sanatoriums—Tax levy for—State aid.....	225
Joint county tuberculosis sanatoriums—Establishment and maintenance—Employees—State aid.....	226
Health districts—Creation—Appointment, powers, and duties of board of health and health officer—Taxes—Regulations.....	229
Slaughterhouses, cold storage plants, and other food establishments—Insanitary conditions in, prohibited—Unwholesome food—Regulations—Inspection.....	231
Meat—Transportation.....	231
Habit-forming drugs—Sale and dispensing.....	231
Cremations—Registration.....	232
Mattresses and comforts—Manufacture, labeling, and sale.....	232
Weeds, grass, and foul seeds—Scattering or depositing of, on highways or in inland waters prohibited.....	233
Advertisements—Untrue, deceptive, or misleading, prohibited.....	233

Minnesota:

Communicable diseases—Notification of cases.....	235
Ophthalmia neonatorum—Notification of cases—Prevention.....	235
Poliomyelitis—Isolation of children having fever when disease is present in a locality.....	236
Communicable diseases—Control—Employment of medical and other help by local officials.....	236
State board of health—Regulations—Powers.....	236
Water supplies, sewage and refuse disposal—Plans to be approved by State board of health.....	237
Water and sewer connections in villages—Installation of toilets.....	238
Births and deaths—Registration—Certified copies of records.....	238
Dwelling houses and premises—Sewer and water connections—Water-closets, privies, and cesspools—Urinals—Plumbing—Water supply—Cleanliness—Removal of old wall paper—Receptacles for garbage, refuse, and ashes—Keeping of domestic animals—Handling of rags and junk—Overcrowding—Infected and uninhabitable dwellings—Lighting and ventilation—Inspection.....	241
Maternity hospitals and children's homes—Regulation.....	247

Mississippi:

Milk—Production, care, and sale.....	252
Thermometers required in railroad coaches—Temperature of coaches.....	254

Missouri:

Milk, cream, and ice cream receptacles—Cleanliness—Marking and branding.....	255
Hotels—Lighting—Ventilation—Water-closets and privies—Individual towels—Bedding—Cleanliness—Inspection.....	256
Foundries—Toilet room requirements—Elimination of injurious fumes and dust—Inspection.....	258

Montana:

State board of health—Child welfare division—Creation and duties—School and public health nurses.....	259
Public health nurses—Duties.....	259
School nurses—Duties.....	260
Foods, drugs, candies, etc.—Publication of list of those found to be adulterated or misbranded.....	261

Montana—Continued.	Page.
Water supplies—Analysis.....	261
Water for domestic use—Notice to boil raw untreated water required.....	261
Water and ice supplies—Prevention of pollution.....	261
Wall paper—Removal of old paper before repapering.....	262
Nebraska:	
State department of health—Establishment—Advisory board—State health officer—Bureaus and divisions—Employees.....	263
Visiting community nurse—Employment—Duties—Tax levy for.....	265
Births and deaths—Registration—Duties of local officials.....	266
Nevada:	
Communicable disease—Epidemics—Emergency fund appropriated.....	267
State rabies commission—Creation—Duties—Appropriation.....	267
Butter and ice cream—Sale—Inspection—Regulations.....	267
Foodstuffs—Adulteration.....	269
Habit-forming drugs—Sale and dispensing.....	270
Watercourses—Prevention of pollution.....	272
Watercourses—Institution and maintenance of legal proceedings to prevent or restrain pollution of.....	272
Pupils—Examination of, by teachers for certain physical defects.....	273
Rural schoolhouses—Plans and specifications for, to be furnished by the State board of education.....	273
Barber shops—Sanitary regulation.....	273
New Hampshire:	
Communicable diseases—Infected persons prohibited from employment in schools.....	274
Tuberculosis—Sanatorium treatment for indigent and semiindigent patients—Appropriation.....	274
Tuberculosis—Investigation by State board of health.....	274
Sanatoriums for mental and other diseases—Licensing and regulation.....	275
Milk and milk products—Sale—Standardized milk.....	275
Ellis and Wildcat rivers—Prevention of sewage pollution.....	276
Habit-forming drugs—Sale and dispensing.....	276
Births—Notice of registration to be sent to parents—Name of child to be obtained.....	277
Births, deaths, and marriages—Publication.....	277
Schools—Medical inspection—Adoption of act relating to, by school districts.....	277
Embalmers—Examination and licensing—Regulation.....	278
New Jersey:	
Sanitary code—Definition of terms.....	280
Communicable diseases—Notification of cases—Diphtheria cultures—Isolation—Quarantine—Hospitalization—Cleaning and disinfection—Precautions by physicians and attendants—Placarding—Contact with infected persons—Attendance at schools and gatherings—Vaccination—Incubation periods—Handling and sale of milk and foodstuffs—Carriers—Diagnosis—Inoculation with living bacteria—Laboratories—Destruction of infected articles.....	280
Venereal diseases—Notification of cases—Quarantine—Treatment—Laboratory examinations.....	289
Venereal diseases—Unlawful for infected persons to marry or have sexual intercourse.....	290
Communicable disease hospitals in cities—Establishment.....	290

New Jersey—Continued.

	Page.
Communicable disease hospitals in certain counties—Annual appropriation for construction, maintenance, and repair.....	291
County tuberculosis hospitals—Powers and duties of superintendent—Admission, care, and treatment of patients—Commitment of persons to hospitals by order of court.....	292
Local boards of health—Powers.....	294
Local boards of health—Employees—Appointment and duties.....	295
Milk and cream—Licensing and bonding of dealers.....	296
Creameries and milk pasturizing plants—License—Sanitary regulation....	300
Milk by-products—Pasteurization.....	302
Cattle—Importation when free from tuberculosis and other transmissible diseases.....	302
Powers of municipalities relative to sewers and drains, street cleaning and garbage and refuse disposal, slaughterhouses, water supply, and miscellaneous health matters.....	303
Sewage, garbage, and refuse disposal in municipalities.....	313
Nuisances—Water supply—Privies and cesspools—Excremental matter—Flies and mosquitoes.....	314
Rooms and apartments used as workshops—Sanitary regulation.....	315
Rooms and apartments used as workshops—License—Inspection—Sanitary regulation.....	315
Factories—Sanitary regulation.....	317
Factories—Code of lighting.....	319

New York:

"Communicable disease"—Meaning of term.....	320
List of communicable diseases which are notifiable.....	320
Deaths from communicable diseases—Duties of local registrars and health officers.....	320
Communicable diseases—Removal of contaminated articles.....	321
Communicable diseases in hospitals, dispensaries, and institutions—Prevention of spread—Tracing original source of infection.....	321
Venereal diseases—Circular of information and instructions to be given infected persons.....	321
Venereal diseases—Statement regarding freedom from, required of both parties to a marriage.....	322
Venereal diseases and other sexual ailments—Advertisements relating to..	322
Laboratories and other places where live pathogenic germs are handled—Registration—Sale and transportation of germs.....	322
Antipneumococcus and antimeningococcus serums—Sale.....	323
Boarding and lodging houses receiving persons affected with tuberculosis—Inspection—Furnishing and posting of sanitary laws and regulations....	323
State tuberculosis hospital—Duty of superintendent—Admission and maintenance of patients.....	323
County tuberculosis hospitals—Establishment and maintenance—Powers and duties of county board of supervisors and hospital board of managers—Attendance by hospital superintendent of courses at State tuberculosis hospital—Admission and maintenance of patients from other counties.....	324
County tuberculosis hospitals—Appointment and qualifications of superintendents.....	328
Consolidated health districts—Expenses.....	328
Milk and cream—Grades—Requirements.....	328

New York—Continued.

	Page.
Milk and cream—Production and sale—Powers of municipalities.....	331
Evaporated and condensed milk—Sale.....	331
Dairy cattle—Care of diseased animals—Tuberculin test.....	332
Habit-forming drugs—Sale and dispensing—Sale and possession of hypodermic syringes and needles—Commitment of drug addicts.....	333
Births and deaths—Registration—Registration districts—Registrars.....	340
Birth and death reports and burial, removal, and transit permits—Fees of local registrars and physicians.....	341
Sewage disposal in municipalities.....	341
Sewer districts in villages—Connections with sewer.....	347
Garbage and refuse—Collection and disposal in towns.....	350
Garbage, refuse, and ashes—Collection and disposal in villages.....	350
Children's boarding houses—License—Inspection.....	351
Midwives—Qualifications necessary to secure a license.....	351
Nuisances—Maintenance by corporations of nuisances outside of State affecting people in State—Forfeiture of charter or revocation of certificate of authority.....	352
Factories—Toilets.....	353
Cantonment health zones—Establishment—Sale of food and drink.....	354

North Carolina:

Communicable diseases—Notification of cases—Appointment, duties, and salaries of county quarantine officers—State board of health regulations..	355
Cerebrospinal meningitis and ophthalmia neonatorum—Declared communicable and notifiable.....	358
Ophthalmia neonatorum—Notification of cases—Prevention—Duties of State and local health authorities—Registration of midwives—Annual appropriation.....	358
Communicable diseases—Duties of county quarantine officers.....	360
Communicable diseases—Certain data to be furnished county papers—Teachers to take disease census in schools—County quarantine officers to investigate suspected unreported cases.....	361
Typhoid fever—Sale of milk and foodstuffs from premises where case exists—Disinfection of feces and urine.....	362
Tuberculosis—Examination of prisoners for—Treatment when found infected—Reports of prison officials.....	362
Rural sanitation—Annual appropriation.....	363
County tuberculosis hospitals—Establishment, maintenance, and regulation.....	364
County or town tuberculosis hospitals, tents, etc.—Plans to be approved by State board of health.....	365
School children—Physical examination—Treatment of physical defects..	365
Hotels—Water-closets and privies—Prevention of mosquito breeding—Water supply—Screening—Sleeping rooms—Bedding—Disinfection—Common towels prohibited—Protection of foodstuffs—Garbage—Cleanliness—Inspection.....	366
Proprietary medicines and mechanical devices for the cure of certain diseases—Sale or advertising of, prohibited.....	368
Prisoners—Physical and mental examination—Sanitary supervision of jails and convict camps.....	369
Jails—Sanitary regulation.....	370
Convict camps—Sanitary regulation.....	372

North Dakota:

Pupils—Medical inspection.....	376
Meat handlers in butcher shops and meat markets—Certificate of health required.....	377
Habit-forming drugs—Sale and dispensing.....	377
Soda fountains—Installation and operation.....	380

Ohio:

State department of health—Establishment—State commissioner of health—Public health council—Employees—Divisions—Sanitary code..	381
State plumbing inspector and deputy inspectors—Appointment, powers, and duties.....	383
County and district tuberculosis hospitals and dispensaries—Establishment and maintenance.....	384
Places where foodstuffs are manufactured, prepared, or sold—Cleanliness..	387
Water supplies—Prevention of pollution—Construction and operation of waterworks systems.....	387
Water supplies—Construction, maintenance, and operation in counties....	389
Sewer districts in counties—Establishment—Sewage disposal—Appointment and duties of county sanitary engineer.....	394
Sewers and sewage disposal plants—Joint use by counties and municipalities.....	400
Habit-forming drugs—Sale and dispensing—Commitment of persons convicted under act when addicts.....	400
Pupils, teachers, and janitors—Physical examination.....	401
Health and old age insurance and sickness prevention—Investigation of, by commission.....	402

Oklahoma:

State board of health—Appointment and salaries of certain new employees.	404
State tuberculosis hospital—Establishment and maintenance—Admission of patients.....	404
Water supplies—Prevention of pollution—Construction of waterworks—Sewage disposal.....	404
Common drinking cups and common towels—Prohibited in public places.	409
Births and deaths—Registration.....	409

Oregon:

Communicable diseases—Notification of cases.....	410
Communicable diseases—Notification of cases—Quarantine—Isolation—Placarding—Disinfection—Attendance at schools and public gatherings—Minimum control measures—Sale, handling, and destruction of milk and foodstuffs—Common carriers.....	410
Communicable diseases—Prevention of spread through merchandise—Use of public conveyances by infected persons prohibited.....	423
Venereal diseases—Investigation—Examination of suspected cases—Isolation—Quarantine—Suppression of prostitution.....	423
County and district tuberculosis hospitals—Establishment, maintenance, and control.....	424
Hospitals and sanatoriums—Sanitary regulation.....	430
Milk and milk products—Pastuerization.....	430
Condensed and evaporated milk—Manufacture and sale.....	431
Bottles and containers used for milk and milk products—Marking—Cleanliness.....	432
Births and deaths—Registration—Local registrars—Deaths occurring without medical attendance—Contents of birth certificates.....	433

Oregon—Continued.	Page.
Dead bodies—Transportation.....	434
Hotels—Cleanliness—Drinking water—Common towels and common drinking cups prohibited—Bedding—Protection of foodstuffs—Screening—Garbage disposal—Toilets—Employees. Restaurants—Protection of foodstuffs—Garbage disposal.....	436
Mental defectives—Sterilization.....	437
Noxious weeds—Extermination.....	438
Hop, prune, and berry yards—Sanitary regulation.....	440
Advertisements—Untrue, deceptive, or misleading, prohibited.....	440
Pennsylvania:	
Communicable disease hospitals in counties—Establishment and maintenance—Removal of cases to.....	442
Pupils—Care and treatment of defective eyes and teeth.....	442
Compressed air—Regulation of employment in.....	443
Lead work—Regulation of.....	444
Milk dealers in cities of the first class—License.....	444
Meat and meat-food products—Definition—When deemed unwholesome—Exposure.....	445
Habit-forming drugs—Possession, sale, and dispensing—Establishment of bureau or division in State health department authorized for enforcing act.....	446
Drugs—Adulteration and misbranding.....	449
Health insurance—Investigation by commission.....	451
Mausoleums and burial vaults—Construction and use.....	452
Rag shops, secondhand paper shops, and junk shops in cities of the first-class—Licensing and regulation.....	453
Philippine Islands:	
Tuberculosis and other communicable diseases among prisoners—Establishment of prison sanatorium.....	454
Tiquitiqui extract—Appropriation for manufacture, distribution, and sale.....	454
Medical and charitable work—Appropriation.....	455
School of nursing—Establishment in Southern Islands hospital division...	455
Proprietary medicines—Labeling and sale—Analysis.....	455
Porto Rico:	
Communicable diseases—Notification of cases.....	457
Communicable diseases—Emergency epidemic fund appropriated.....	457
Insular department of health—Establishment—Commissioner of health...	457
Assistant commissioner of health—Appointment and duties—Salary of commissioner of health.....	458
Insular department of health—Appropriations—Reorganization of sanitation service.....	458
Diseased fowls—Sale prohibited.....	461
Animals—Importation—Inspection and quarantine against communicable diseases.....	461
Food and drugs—Adulteration and misbranding—Analyses—Destruction when unfit for use.....	462
Dispensaries required in certain factories—First aid.....	464
Tobacco factories—Sanitary regulation—Employees must furnish certificates of health.....	464
Embalming and disinfection—Licenses—Regulation.....	466

Rhode Island:

Pulmonary and laryngeal tuberculosis—Prevention and suppression.	Page.
Communicable diseases—Quarantine—Disinfection.....	468
School children—Notification of dental defects or conditions arising therefrom—Treatment.....	468
School children—Physical training—Appropriation.....	468
State board of health—Meetings—Compensation and traveling expenses of members.....	469
Foods and drugs—Manufacture or sale of adulterated or misbranded, prohibited.....	469
Manufacturing and mercantile establishments—Water-closets and privies—Dressing rooms and seats for females.....	470

South Carolina:

Hotels, restaurants, cafés, lunch counters, and markets—Licensing, inspection, and regulation.....	471
Births and deaths—Registration—Fees of local registrars.....	471

South Dakota:

State board of health and medical examiners—Appointment—Powers—Regulations.....	472
Mental defectives—Sterilization.....	473

Tennessee:

County and district tuberculosis hospitals—Establishment, maintenance, and regulation—Admission and maintenance of patients.....	474
Mattresses—Manufacture, sale, and labeling.....	477
Foundries—Shower baths and dressing rooms required.....	479

Texas:

Rabies—Treatment of indigent persons.....	480
Rural sanitation—Appropriations.....	480
State tuberculosis sanatorium—Establishment of accommodations for and maintenance of patients by fraternal organizations.....	481
Buildings and premises—Sanitary regulation—Powers of local authorities..	482
Births and deaths—Registration.....	483

Utah:

Rabies and other animal diseases—Control—Quarantine—Muzzling of dogs—Destruction of animals.....	487
County hospitals—Establishment, maintenance, and regulation.....	483
Children—Employment in certain occupations prohibited.....	491
Habit-forming drugs—Sale and dispensing.....	491

Vermont:

Veneral diseases—Notification of cases—Marriage of infected persons—Educational campaign.....	493
Tuberculosis—Care of indigent persons—Appropriation.....	493
Tuberculin—Sale and use—Reports to live stock commissioner.....	493
White diarrhea in fowls—Laboratory tests for detection of.....	494
State board of health—Appointment—Expenses—Appointment and duties of secretary—Employees.....	495
Local health officers—Powers and duties—Regulations by local boards of health.....	496
State tuberculosis hospitals or wards—Establishment and regulation.....	496
County tuberculosis hospitals—Establishment and maintenance.....	497
Foodstuffs—Misbranding.....	499
Food products—Standards of purity—Sale.....	499
Food establishments—Sanitary regulation—Employees.....	499
Milk—Standard of, as paying basis in creameries and cheese factories....	501

Vermont—Continued.

	Page.
Creameries, cheese factories, condensaries, and receiving stations for milk and cream—Inspection—Correction of insanitary conditions—Inspection of dairies.....	501
Ice cream—Standards of purity and quality—Sale	501
Meat—Inspection.....	502
Drug addicts and dipsomaniacs—Commitment to institutions for treatment.....	502
Preparations containing wood alcohol—Sale for human use prohibited	503
Deaths—Penalty for failure of physician to register within 36 hours.	503
Barber shops—Sanitary regulation.....	504

Washington:

Communicable diseases—Notification of cases—Investigation by health officers—Quarantine—Placarding—Disinfection—Control measures—Attendance at schools and public gatherings—Closing and disinfection of schools—Sale and handling of milk and food products—Common carriers—Burial	505
Venereal diseases—Communicable disease regulations of State board of health govern.....	516
Common carriers—Sanitary regulation	516
Domestic animals—Quarantine. Rabies—Confinement and muzzling of dogs.	
Regulations of State board of health—All prior regulations repealed.....	517
Foods and drugs—Regulations against adulteration and misbranding—Standards of quality, purity, and strength.....	517
Sewage disposal—Prevention of pollution of drinking water	518
Common drinking cups and common towels—Prohibited in public places ...	518
Midwives—Licensing.....	518
Premises—Removal of insanitary conditions.....	520
Toilets—Location, construction, and cleanliness	520
Manure—Disposal	521
Industrial camps—Sanitary regulation.....	521

West Virginia:

State tuberculosis sanatorium for negroes—Establishment and regulation...	523
---	-----

Wisconsin:

Communicable diseases—Penalty for failure to report cases of, and for other violations of laws relating to	524
Communicable diseases—Investigation by local health officers—Quarantine—Placarding.....	524
Communicable diseases—Notification of school and library authorities of existence of—School attendance—Disinfection of library books.....	525
Communicable disease isolation hospitals in certain counties—Establishment and maintenance.....	525
Communicable diseases—Payment of expenses for care of infected persons—Disinfecting and cleaning	526
Venereal diseases—Notification of cases—Treatment—Literature—Laboratory tests.....	526
Marriage—Certificates of health relative to freedom from venereal diseases in communicable stage	527
Marriage—Examination of male applicants for licenses as to freedom from venereal diseases.....	528
Public health laws and regulations—Applicants for license to practice medicine must be familiar with. Notifiable diseases—Card containing list of, to be displayed in doctors' offices and hospitals.....	528

CONTENTS.

17

Wisconsin—Continued.

	Page.
Hygienic laboratories—Annual appropriation for establishment and maintenance.....	529
State board of health—Powers and duties.....	529
Full-time health officers—Municipalities may employ jointly.....	529
Public-health nurses—Employment by municipalities severally or jointly—Duties.....	530
State and county tuberculosis hospitals—Admission and maintenance of patients.....	530
State tuberculosis camps—Care and maintenance of patients at.....	531
District tuberculosis hospitals—Counties authorized to raise money for establishment and maintenance of—Regulation. County tuberculosis hospitals—Regulation.....	532
Pupils—To be sent home when unclean or infested with lice or other vermin.....	533
Bakeries and confectioneries—Licensing—Alterations—Sanitary regulation.....	533
Soda-water beverages—Licenses for manufacture and bottling.....	535
Physically defective or deformed children at birth—Tabulation and classification—State board of health to be notified of defects—Care and treatment.....	537
Burial permits.....	538
Sewage pollution of water supplies and streams—Investigation by State board of health. Sewage disposal—Compensation of landowners suffering damage from.....	538
Sewer and water connections—May be required in cities and incorporated villages.....	539
Hotels—Common drinking cups and common towels prohibited—Toilets—Bedding—Drinking fountains—Cleanliness. Restaurants—Water and sewer connections—Drinking fountains—Common drinking cups prohibited—Cleanliness.....	539
Toilets in places of employment, public buildings, and certain other places—Location and construction. Places of employment—Common drinking cups and common towels prohibited—Drinking water.....	540
Social insurance—Investigation by joint committee of the legislature.....	546
Commission on social insurance—Powers and duties.....	547
Animals—Disposal of dead bodies.....	548
Barber shops—Regulation.....	549
Rendering plants—Sanitary regulation—State board of health to make and enforce regulations governing.....	549

Wyoming:

Dairy cows—Tuberculin test—Cleaning and disinfection of dairy barns and premises.....	550
Advertisements—Untrue, deceptive, or misleading, prohibited.....	552

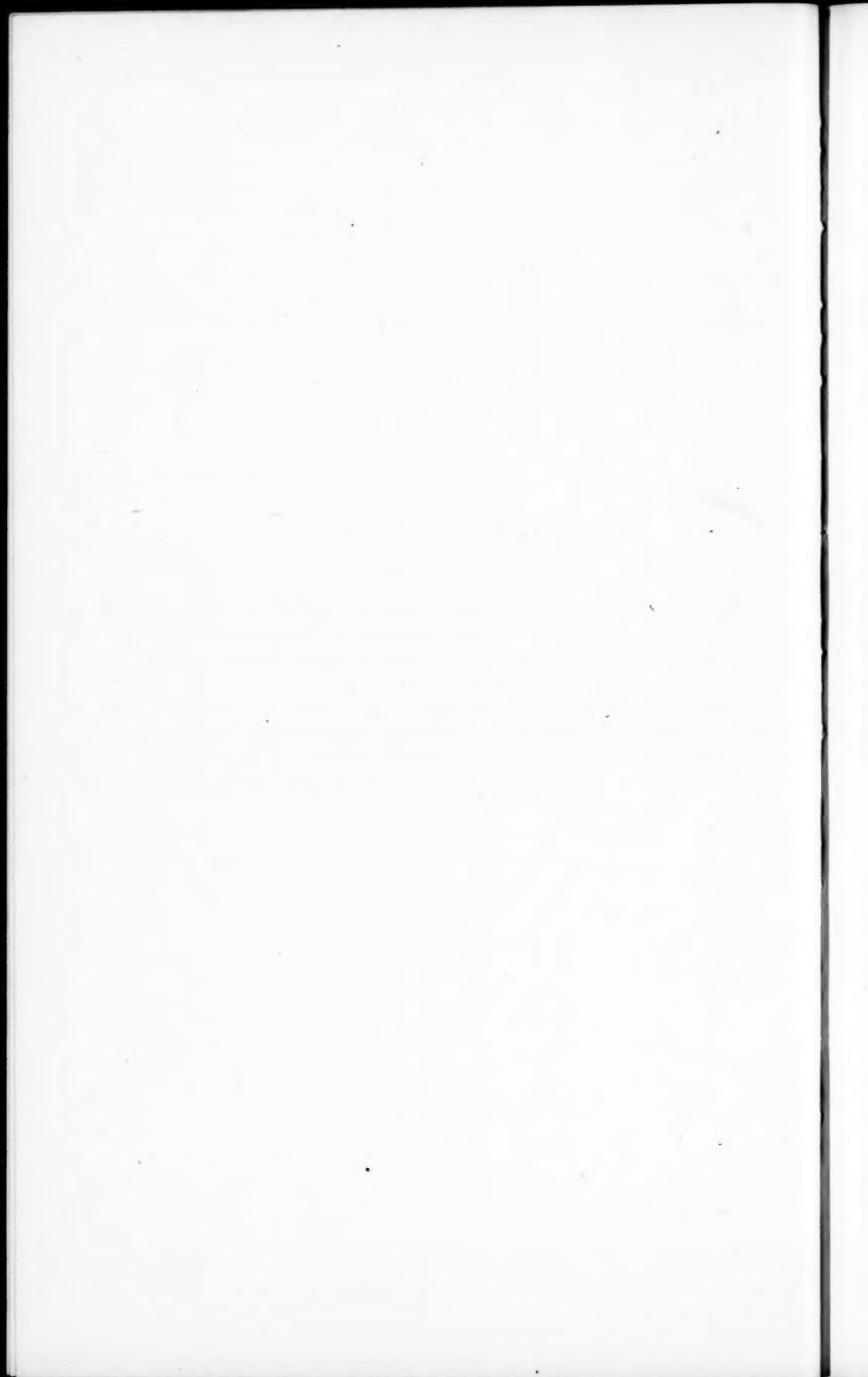
180457°—20—2

1891
1892
1893

INTRODUCTION.

Reprints from the Public Health Reports numbered 200, 264, 279, 338, 406, and the present volume, taken together, contain State laws and regulations pertaining to the public health approved or adopted from July 1, 1911, to December 31, 1917, inclusive.

Municipal ordinances, rules, and regulations pertaining to the public health have also been published, and reprints numbered 70, 121, 199, 230, 273, 364, and 388 are compilations of these ordinances and regulations which were adopted during the seven-year period 1910 to 1916, inclusive.



STATE LAWS AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

ADOPTED DURING THE YEAR 1917.

ALASKA.

Salaries of Assistant Commissioners of Health—Traveling Expenses of Commissioner of Health. (Ch. 53, May 3, 1917.)

SECTION 1. That all assistant commissioners of health appointed by the commissioner of health under and in pursuance of chapter 42 of the session laws of Alaska, 1913, entitled: "An act to provide for the registration and restriction of communicable diseases in the Territory of Alaska; and declaring an emergency," shall be paid by the Territorial treasurer from Territorial funds not otherwise appropriated upon vouchers, in duplicate, properly signed and countersigned by the commissioner of health, an annual salary of \$200.

That actual traveling expenses be allowed the commissioner of health whenever in the exercise of his duties he may be called away from his regular place of business provided all such expenditures shall be authorized by the governor prior to the date of expenditure.

Mines—Privies—Ventilation. (Ch. 51, Act May 3, 1917.)

SEC. 11. *Sanitation.*—That in any working mine, the inspector may require a sufficient number of portable, water-tight privies to be provided for the underground employees, such privies to be taken to the surface and cleaned every 24 hours.

* * * * *

SEC. 23. *Ventilation.*—An adequate amount of ventilation shall at all times be produced so that all mine workings and the roads to and from such workings shall be free from any offensive gases. The air must be in such a state that a candle will burn freely at all times in any working portion of the mine. * * *

ARIZONA.

Common Drinking Cups and Common Towels—Prohibited in Public Places. (Ch. 55, Mar. 14, 1917.)

SECTION 1. It shall be unlawful for any person within the State of Arizona to provide or furnish a common towel or a common drinking cup which may be used by more than one person in any barber shop, public wash house, public lavatory, or in any other public place.

SEC. 2. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be liable of a fine not to exceed \$25 for each offense.

ARKANSAS.

Bureau of Sanitation—Establishment—Employees. Hotels, Restaurants, and Rooming Houses—License. (Act 210, Mar. 10, 1917.)

SECTION 1. There is hereby created a bureau of sanitation of the State of Arkansas, which shall be under the supervision and jurisdiction of the State board of health. The usual facilities for transacting its business shall be furnished as hereinafter provided.

SEC. 2. The State board of health shall appoint one chief inspector of the bureau of sanitation and is empowered to employ such other help and assistants as are necessary to carry out the terms of this act. Said chief inspector of the bureau of sanitation shall receive a salary of \$1,800 per annum and traveling expenses. The said board of health may appoint assistant inspectors at a salary not exceeding \$1,500 each per annum and traveling expenses, and other employees' salaries shall not exceed the sum of \$900 each per annum. The said chief inspector shall be known as the chief inspector of the bureau of sanitation and shall be appointed for a term of four years and hold his office at the pleasure of the State board of health, shall aid in the discharge of all the duties which shall devolve upon him, and the assistant inspectors and other employees shall also discharge all duties which shall be assigned to them. They are authorized and required to make reports in the manner and form prescribed by the State board of health and shall be required to assist in the enforcement of any rules and regulations promulgated by the State board of health relating to hotels, rooming houses, and restaurants.

SEC. 3. Every building or other structure kept, used, maintained, advertised or held out to the public to be a place where food is served and sleeping accommodations are offered for pay to transient guests, in which six or more rooms are used for the accommodation of such transient guests, and having one or more dining rooms or cafés, where meals or lunches are served to such transient guests, such sleeping accommodations and dining rooms being conducted in the same building and under the same management, together with any buildings in connection therewith, shall, for the purpose of this act, be deemed a hotel.

SEC. 4. Every building or other structure kept, used, maintained, advertised or held out to the public to be a place where sleeping accommodations are furnished for pay to transient guests, in which six or more rooms are used for such guests, but which does not maintain dining room or cafés in the same building, and under the same management together with any buildings in connection therewith, shall, for the purpose of this act, be deemed a rooming house.

SEC. 5. Every building or other structure kept, used, maintained, advertised or held out to the public to be a place where meals or lunches are served without sleeping accommodations, together with all outbuildings in connection therewith, shall for the purpose of this act, be defined a restaurant.

SEC. 6. That within three months after the passage of this act, every person, firm or corporation now engaged in the business of conducting a hotel, or restaurant, or both, or rooming house, and every person, firm or corporation which shall hereafter engage in conducting such business shall procure a license for each hotel, rooming house, or restaurant so conducted or proposed to be conducted, provided that one license shall be sufficient for combined hotel and restaurant, when both are conducted in the same building and under the same management, such license shall expire on the 31st day of December next following its issuance. No hotel, rooming house or restaurant shall

be maintained and conducted in this State after the taking effect of this act, without a license therefor, and no license shall be transferable: *Provided*, This section shall not be interpreted to apply to change in management or proprietorship.

SEC. 7. The fee for license to conduct a hotel, rooming house, or restaurant in this State shall be \$3 per annum, except for hotels that contain 10 sleeping rooms the license fee shall be \$5, and for every additional room therein an additional fee of 10 cents shall be charged: *Provided*, That no license fee shall exceed \$20, which shall be paid to the State treasurer before said license shall be issued. The license fee provided for above shall be due and payable on the 1st day of April, 1917, and shall be due and payable thereafter on the 1st day of January of each year.

SEC. 8. On the first day of each month, the secretary of the State board of health and the chief inspector shall file with the State treasurer a list of all hotels, houses and restaurants which are entitled to receive a license, and on certification of the State treasurer to the State board of health that the proper fees have been paid by hotels, rooming houses, or restaurants, the said State board of health shall issue a license in accordance with the provisions of this act, which shall bear the signature of the chief inspector, president, and secretary of said board and its official seal.

SEC. 9. No hotel, rooming house, or restaurant proprietor shall be subject to prosecution for not complying with the provisions of this act until his or her place of business shall have been inspected: *Provided*, That the proprietors of hotels, rooming houses, and restaurants shall procure a license within 90 days after this act takes effect. Said license shall be properly framed and kept in the office of said place in a conspicuous manner.

SEC. 10. After 30 days' notice by the inspector to any firm, person, or corporation failing to comply with the provisions of this act or the rules and regulations made and promulgated in pursuance hereof, if said act or rules and regulations are not then complied with, the building and premises involved may be closed for use as such hotel, rooming house, or restaurant, without further procedure by the inspector with the approval of the State board of health, until all of the provisions of this act and the rules and regulations pertaining thereto are complied with.

SEC. 11. All notices to be served by the inspectors, provided for in this act, shall be in writing and shall be either delivered personally or by registered letter to the owner or lessee or manager of such hotel, rooming house, or restaurant. Any person, firm or corporation operating a hotel, rooming house, or restaurant in this State or leasing a building used for such business without first having complied with the provisions of this act and having a license granted by the State board of health, shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined in the sum of not less than \$10 nor more than \$100 for each and every noncompliance with this act, together with the cost of the suit.

SEC. 12. It shall be unlawful for any inspector to accept lodging, meals, or anything of a substantial nature from any source whatsoever involving the places of business herein designated, and it shall be unlawful for any proprietor, manager, or employee to offer accommodations or courtesies of a substantial nature to an inspector. Such a violation shall be deemed a misdemeanor and shall be punishable by a fine of not less than \$10 nor more than \$100.

SEC. 13. All fees collected under the provisions of this act shall be deposited with the State treasurer in a fund to be known as the "sanitary fund of the State board of health," and shall available [sic] as soon as collected for maintaining the bureau of sanitation when duly appropriated by the general assembly.

SEC. 14. That the sum of \$10,000, or so much thereof as is necessary, be and the same is hereby appropriated out of any funds in the State treasury to the credit of the fund known as the "sanitation fund of the State board of health" for the support and maintenance of the bureau of sanitation of the State board of health.

SEC. 15. The auditor shall, upon proper voucher from the secretary of the State board of health, issue his warrant on the treasurer of the State in payment of all salaries and other expenses incurred in the administration of the bureau of sanitation of the board of health for the biennial period beginning April 1, 1917, and ending March 31, 1919: *Provided*, That vouchers so issued shall be chargeable by the State treasurer only to the sanitary fund and no warrant under this act shall be paid by the State treasurer unless there is funds [sic] to the credit of the sanitary fund of the State board of health sufficient to pay same.

SEC. 16. The rules and regulations promulgated by the State board of health shall be deemed necessary to enforce the provisions of this act and are hereby made a part of this act.

Births and Deaths—Registration Districts—Appointment and Fees of Local Registrars. Marriages—Registration. (Act 149, Mar. 17, 1917.)

SECTION 1. That sections 9, 10 and 11 of an act¹ entitled "An act for the better protection of the public health and for other purposes," approved February 25, 1913, be and the same are hereby amended and supplemented so as to read as follows:

SEC. 9. That for the purposes of this act, each township in each county shall constitute a registration district, and the State registrar, with the assistance of the county judge in each county, shall appoint a local registrar in each registration district. *Provided, however*, That in every township where there is an incorporated town or city, the local registrar shall reside in the incorporated town or city: *And provided further*, That in the cities now requiring registration of births and deaths, the city clerk shall be the local registrar. In case a vacancy should occur in any registration district, the State registrar shall notify the county judge, who shall, within 10 days after notification, submit the name of some citizen in the district to the State registrar for appointment. If for any reason the county judge fails to submit the name of anyone for appointment the State registrar shall then without delay fill the appointment.

SEC. 10. That each local registrar shall be paid the sum of 25 cents for each birth and each death certified [sic] properly and completely made out and registered with him, correctly recorded and promptly returned by him to the State registrar and a duplicate copy of each certificate filed with the county clerk, as required by the rules and regulation. And in case no births and no deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to the State registrar to that effect, but only if promptly made in accordance with the rules and regulations. All amounts payable to a registrar under the provisions of this section, shall be paid annually by the treasurer of the county in which the registration district is located. And each local registrar, with the counter-signature of the State registrar, shall annually certify to the county and probate clerk of his respective county the number of births and deaths properly registered, with the amount due him at the rate herein, and said amount shall be allowed as other claims against the county.

SEC. 11. That the State registrar, or the county clerk, shall upon request furnish any applicant a certified copy of the record of any birth or death registered under the provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant. And any such copy of the record of a birth or death when properly certified by the State registrar or the county clerk, to be a true copy thereof, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the State registrar, or the county clerk, shall be entitled to a fee of 50 cents for each hour or fractional part of an hour of time of search, to be paid by the appli-

¹ Reprint 264 from Pub. Health Repts., p. 29.

cant. And the State registrar and the county clerk shall keep a true and correct account of all fees by them received under these provisions, and the fees thus collected by the State registrar shall be turned over to the State treasurer each month, and the fees thus collected by the county clerk shall be turned over to the county treasurer each month.

SEC. 11. (a). That all marriages occurring within this State shall be registered with the State registrar of vital statistics at the State capitol, as hereinafter provided.

SEC. 11 (b). The forms for license shall be in accordance with section 5198 of Kirby's Digest of the Laws of Arkansas: *Provided*, They shall contain a part to be detached and forwarded to the State registrar, as hereinafter provided, by the clerks of the county and probate courts of the several counties in this State.

SEC. 11 (c). The clerks of the county and probate courts shall, in addition to the fee of \$1 provided in section 5196, Kirby's Digest, collect from the applicant for a marriage license a registration fee of 50 cents, and the additional fees thus collected shall be deposited in the State treasury, monthly, in a fund to be known as the vital statistics fund, which fund shall be used for the maintenance of the bureau of vital statistics at the central office and the State auditor is authorized to draw his warrants against such fund, upon vouchers approved by the State registrar, for the payment of salaries, office and other expenses incident to the proper operation of the bureau: *Provided*, That the amounts so drawn shall not exceed the amounts collected and deposited in the State treasury under provisions of this act.

SEC. 11 (d). The county and probate clerks shall, not later than the 5th day of each month, forward to the State registrar that part of the license which is to be detached and forwarded to him and which shall contain in brief those facts set forth in the license, the detached form to be prescribed by the State registrar.

SEC. 11 (e). That the funds now in the State treasury deposited by the State registrar of vital statistics, in the sum of \$122.50, accruing from the certification of births and deaths, and any other funds which may accrue in this manner, be and the same is hereby transferred to the vital statistics fund.

CALIFORNIA.

Rocky Mountain Spotted Fever, Paratyphoid Fever, Lobar Pneumonia—Made Notifiable. (Res. Bd. of H., July 7, 1917.)

Resolved, That the following diseases are required to be reported to the local health authorities and are hereby added to the list of reportable diseases in rule 2 of section 13 of the public health act: Rocky mountain spotted (or tick) fever, paratyphoid fever, lobar pneumonia (substituted in the list for "pneumonia").

Lobar Pneumonia—Substituted for "Pneumonia" in List of Reportable Diseases. (Res. Bd. of H., July 7, 1917.)

Resolved, That the disease pneumonia be stricken from the list of reportable diseases in section 12, rule 2, of the public health act, and the disease lobar pneumonia be substituted in accordance with the provision of the same rule that the list of reportable diseases can be changed at any time by the State board of health or its secretary.

Certain Communicable Diseases—Notification of Cases—Instructions to Household—Investigation by Health Authorities—Isolation—Disinfection—Contacts—Attendance at Schools and Children's Gatherings—Incubation Periods. (Reg. Bd. of H., Dec. 1, 1917.)

RULE 1. Notification.—Any person in attendance on a case of chicken pox, measles, German measles, mumps, whooping cough, epidemic cerebrospinal meningitis or acute lobar pneumonia, or a case suspected of being one of these, shall report the case immediately to the local health officer, who shall in turn report at least weekly on the prescribed form to the secretary of the State board of health all cases so reported to him. In the absence of local rules permitting notification by telephone the report to the local health officer shall be in writing.

When no physician is in attendance it shall be the duty of the head of a private house or the proprietor or keeper of any hotel, boarding house, lodging house or superintendent of any orphanage or school to report forthwith to the local health officer all the facts relating to the illness and physical condition of any person in any private house, hotel, boarding house, lodging house, orphanage or school under his charge who appears to be affected with any disease presumably communicable, together with the name of such person.

RULE 2. Instruction to household.—It shall be the duty of the physician in attendance on any case suspected by him to be chicken pox, measles, German measles, mumps, whooping cough, epidemic cerebrospinal meningitis or acute lobar pneumonia to give detailed instructions to the nurse or other person in attendance in regard to precautionary measures for preventing the spread of the disease. Such instructions shall be given on the first visit and shall be in general as given in note 1.

Note.—1. If the patient is not removed at once to a hospital, he shall have a separate bed in a room screened against flies.

2. All persons, except those having the necessary care of the patient, shall be excluded from the sick room.

3. Animals shall be excluded from the sick room.

4. The room should be kept well aired and clean. It should be freed from unnecessary carpets, draperies, and furniture before the patient is placed in it. Dust should be avoided by frequent moist cleansing of woodwork and floors.

5. The person caring for the patient shall avoid coming in contact with any other person within the household or elsewhere.

6. The person having the care of the patient shall wear a washable outer garment and shall thoroughly wash the hands with soap and water after handling the patient or any object which he may have contaminated. On leaving the room in which the patient is isolated, the attendant shall take off the washable outer garment and leave it in the room until disinfected.

7. All discharges from the nose and mouth shall be burned or disinfected. It is recommended that these discharges be received on pieces of gauze or other soft cloth and be dropped in a paper bag which is conveniently placed. The bag and its contents can be easily burned.

8. Objects which may have been contaminated by the patient, shall be disinfected before being removed to any place where they might become possible sources of infection. Clothing and bedding that have been contaminated by the patient as well as the dishes used by the patient may be sterilized by boiling or by immersion for 20 minutes in 2 per cent carbolic acid or liquor cresolis compositis.

RULE 3. Investigation of cases.—Upon being notified of a case of chicken pox, measles, German measles, mumps, whooping cough, epidemic cerebrospinal meningitis or acute lobar pneumonia, the local health authority shall make an inquiry regarding the probable source of infection. If this source of infection is outside his jurisdiction he shall notify the State board of health in order that it may inform the health authority (local or state) within whose jurisdiction the infection was probably contracted. The local health officer shall determine that the instructions specified in rule 2 are understood and observed and in the event of nonobservance shall take proper legal steps for their enforcement. The health officer shall confirm all diagnoses of chicken pox in adults.

RULE 4. Isolation.—It shall be the duty of the local health officer to see that cases of chicken pox, measles, German measles, mumps, whooping cough, epidemic cerebrospinal meningitis or acute lobar pneumonia are properly isolated, and to define the area in which the patient and his immediate attendants are to be officially isolated. Without permission from the local health officer no person shall carry, remove, or cause or permit to be carried or removed from any hotel, boarding house, lodging house or other dwelling any person affected with chicken pox, measles, German measles, mumps, whooping cough, epidemic cerebrospinal meningitis or acute lobar pneumonia. Isolation in these diseases is defined as that degree of detention necessary to insure noncontact with susceptible persons.

Isolation shall be terminated only by the local health officer. When the isolation is terminated the area of isolation shall be disinfected by the boiling, or immersion in a disinfecting solution, of articles of clothing and bedding of the patient, and the washing with soap and water, or with some disinfectant, of woodwork, furniture, and any other objects that may have been handled by the patient.

RULE 5. Period of isolation.—The minimum period of isolation within the meaning of this regulation shall be as follows:

Chicken pox.—Until 12 days after the appearance of the eruption and until the crusts have fallen off.

Measles.—Until 7 days after the appearance of the rash and until all discharges from the nose, ears and throat have disappeared and the cough has ceased.

German measles.—Until 7 days after the appearance of the rash.

Mumps.—Until two weeks after the appearance of the disease and until the disappearance of the swelling.

Whooping cough.—Until 3 weeks after the development of the paroxysmal cough.

Cerebrospinal meningitis.—Until 2 weeks after onset and until temperature has been normal for one week.

Pneumonia.—Until 1 week after the temperature has returned to normal.

RULE 6. Contacts.—When a person affected with chicken pox, measles, German measles, mumps, whooping cough, epidemic cerebrospinal meningitis or acute lobar pneumonia is properly isolated on the premises, adult members of the family or household, who do not come into contact with the patient or with the secretions or excretions, unless forbidden by the health officer, may continue their usual vocations provided such vocations do not bring them in close contact with children.

Every child or teacher who is an inmate of a household in which there is or has been within 15 days a case of chicken pox, measles, German measles, mumps, whooping cough, epidemic cerebrospinal meningitis or acute lobar pneumonia shall be excluded from every public, private or Sunday school, and from every public or private gathering of children for an amount of time corresponding to the incubation period of the disease concerned and dating from the first recognition of such disease, except upon written permission of the local health officer. Persons excluded from school under this regulation may return only on presentation to the school authorities of a certificate from the local health officer that they are eligible under this rule so to do.

RULE 7. Incubation period.—For the purposes of these regulations the period of incubation (that is, between the date of exposure to the disease and the date of its development) of the following diseases is hereby declared to be as follows:

	Days
Chicken pox.....	14
Measles.....	14
German measles.....	14
Mumps.....	14
Whooping cough.....	14
Pneumonia.....	5
Cerebrospinal meningitis.....	10

RULE 8. Exclusion by school authorities.—It shall be the duty of the principal or other person in charge of any public, private or Sunday school to exclude therefrom any child or other person affected with a disease presumably communicable until such child or other person shall have been seen by the school physician or nurse, or shall have presented a certificate issued by the local health officer, or by the attending physician and countersigned by the local health officer, stating that such child or other person is not liable to convey a communicable disease.

Smallpox—Notification of Cases—Precautions by Physician—Instructions to Household—Investigation by Health Officer—Quarantine—Contacts—Disinfection—Vaccination. (Reg. Bd. of H., Dec. 1, 1917.)

RULE 1. Notification.—Any person in attendance on, or otherwise in charge of, a case of smallpox, or a case suspected of being smallpox, shall report the case immediately to the local health officer, who shall in turn report weekly, on the prescribed form, to the secretary of the State board of health all cases so reported to him.

When no physician is in attendance it shall be the duty of the head of a private house or the proprietor or keeper of any hotel, boarding house, lodging house or superintendent of any orphanage or school to report forthwith to the local health officer all the facts relating to the illness and physical condition of any person in any private house, hotel, boarding house, lodging house, orphanage or school under his charge who appears to be affected with any disease presumably communicable, together with the name of such person.

Note.—Any person in attendance on a case of smallpox who fails to report the case promptly to the local health authority is guilty of a misdemeanor punishable by a fine of not less than \$25 nor more than \$500, or by imprisonment for a term of not more than 90 days, or by both such fine and imprisonment. (See public health act, secs. 13 [rule 2], 16, and 21).

RULE 2. Diagnosis.—When the diagnosis is in doubt, the attending physician shall report the case as one of "suspected smallpox." The local health officer shall thereupon investigate with a view to establishing the diagnosis, and if unable to reach a decision, he shall report to the State board of health so that it may conduct an investigation.

Note.—When an epidemic of smallpox assumes a mild form even in the unvaccinated, many cases are diagnosed as chicken pox, or "Manila itch," because the vesicles are not umbilicated and are not found on the palms of the hands or soles of the feet. All reports of chicken pox occurring in adults should be investigated.

RULE 3. Precautions to be observed by the physician.—The physician having charge of a case of smallpox, or a case suspected of being smallpox, shall take such precautions as may be necessary to avoid the contamination of his hands and clothing.

RULE 4. Instructions to the household.—It shall be the duty of the physician in attendance on a person having smallpox, or suspected of having smallpox, to instruct the members of the household in precautionary measures for preventing the spread of smallpox.

Note.—The following instructions are required by rule 4:

- (1) If the patient is not removed at once to a hospital, he shall be isolated in a room screened against flies.
- (2) All persons except those having the necessary care of the patient shall be excluded from the sickroom.
- (3) The persons caring for the patient shall be vaccinated with fresh smallpox vaccine immediately prior to assuming such care.
- (4) The persons having the care of the patients shall wear washable outer garments and shall thoroughly wash the hands with soap and water after handling the patient or any object which he may have contaminated. On leaving the room in which the patient is isolated, the attendant shall take off the washable outer garment and leave it in the room until disinfected.
- (5) All discharges from the nose, mouth, or suppurating lesions of the patient shall be immediately disinfected by boiling or shall be burned. It is recommended that discharges from the nose and mouth be received on pieces of gauze or other soft cloth and that these, as well as soiled dressings which may have been used on suppurating lesions, be dropped into paper bags which can easily be burned with their contents.
- (6) Objects which may have been contaminated by the patient, shall be disinfected before being removed to any place where they might become possible sources of infection. Clothing and bedding that have been contaminated by the patient, as well as the dishes used by the patient, may be sterilized by boiling or by immersion for 20 minutes in 2 per cent carbolic acid or liquor cresolis compositis.

RULE 5. Investigation of case.—Upon being notified of a case of smallpox, or a case suspected of being smallpox, the local health officer shall make an investigation which shall include an inquiry regarding the probable source of the infection. If this source of infection is outside his jurisdiction, he shall notify the State board of health, in order that they may inform the health officer within whose jurisdiction the infection was probably contracted. The local health officer shall determine that the instructions specified in rule 4 are understood and observed, and in the event of their nonobservance shall take proper legal steps for their enforcement.

Note.—The record of investigation should include the name, address, sex, occupation and age of the patient; the dates of first symptoms, appearance of the rash, recovery, instituting and releasing quarantine; the age of the patient's first vaccination scar, and the dates of revaccination; schools or places of business attended; the probable location of the patient when infected; and persons with whom the patient was in contact 12 days before the onset of the disease. Often the first case seen by the local health officer represents a second or third transfer from the original case in the community. Investigation of schools, workshops, lodging houses, and even house to house inquiries will be necessary to discover cases which have been reported as chicken pox or never reported.

RULE 6. Quarantine.—If the local health officer, upon making the investigation prescribed in rule 5, is satisfied that the case is one of smallpox, or is strongly suggestive of smallpox, he shall establish a quarantine by affixing a placard in a conspicuous place at the principal entrance to the premises. Until removal of the placard is authorized by the local health officer, no person shall enter or leave the premises or remove any article therefrom without the permission of the local health officer.

Note 1.—The placard specified in rule 6 shall be in the following form, in which the name of the disease shall be in letters not less than two and one-half inches in height.

SMALLPOX.

These premises are declared to be in a state of quarantine. All persons are forbidden to enter or leave these premises or to remove any articles therefrom without the permission of the local health authority.

Date

.....
Local health authority.

Note 2.—Until such time as a positive diagnosis is made in cases strongly suggestive of smallpox, the word "suspected" may precede the word "smallpox" on the placard specified in rule 6.

Note 3.—The quarantined premises will ordinarily be a dwelling house with its surrounding yard. Under certain circumstances it is not necessary to quarantine an entire building, as the part in which smallpox is present may have a separate front and rear entrance and may be so constructed that persons may not enter directly from another part of the building. If the local health officer, upon investigation, finds that the conditions are such that the health of the community would be sufficiently safeguarded, he may limit the quarantine to that part of the building which is the separate abode of an entire household, as, for example, a flat or a suite of rooms in a hotel. All cases in hotels, rooming houses, and lodging houses, must be removed to a hospital, except when in the judgment of the local health officer they can be properly isolated in such hotel, rooming house, or lodging house. When a portion of a dwelling is quarantined, the placard must be conspicuously placed at the principal entrance of the part quarantined.

RULE 7. Contacts.—Every person who has had contact with a case of smallpox subsequent to the appearance of the smallpox eruption shall be vaccinated, or quarantined for 12 days if he refuses vaccination. If more than three days have elapsed between the date of exposure and the date of vaccination the contact shall be kept under observation until evidence of immunity is secured. Immediately after vaccination, contacts who are inmates of the quarantined premises may be released from such premises on condition that they do not enter them until after the termination of the case by removal or recovery. School children shall in addition be quarantined until evidence of immunity is secured.

Note 1.—Vaccination within three days after exposure to a patient in the eruptive stage of smallpox, the beginning of which stage is the time when the infection first becomes transmissible, will prevent smallpox. Vaccination after the third day will modify the onset, and vaccination within the first 10 days after symptoms have appeared will hasten the recovery even if the onset and character of the eruption are not modified. It is therefore important to secure the vaccination of all contacts as well as the patient.

Note 2.—Evidence of immunity, as specified in rule 8, shall be considered to have appeared:

(1) When the areola surrounding the vaccinia vesicle has reached its maximum development. This is normally the tenth day after vaccination in the case of a primary vaccinia, and from the fourth to the seventh day in a secondary vaccinia (vaccinoid).

(2) When an areola at least 5.0 mm. in diameter, with or without a papule, appears at the site within 24 hours after vaccination, rises to a maximum development in 48 hours and fades without developing a vesicle (reaction of immunity).

RULE 8. Release from quarantine.—As soon as a person has recovered from smallpox, i. e., when the scabs have separated and the scars have completely healed, the attending physician shall notify the local health officer. The patient and attendants may then be released from quarantine, but any unvaccinated person remaining on the premises shall be held in quarantine for 12 days after the termination of the quarantine of the patient.

RULE 9. Disinfection.—Each person released from quarantine shall bathe and wash the hair with soap and water and put on clean clothes. The area of isolation shall be disinfected under supervision of the local health officer after the termination of quarantine.

Note.—*Directions for disinfection.*—Disinfection, while of much less importance than vaccination of contacts, should be performed after the termination of quarantine. This disinfection should be a thorough cleansing of the entire area of isolation. This cleansing should consist in the scrubbing with soap and water of all woodwork and furniture. There is no necessity for washing ceilings or the upper part of walls. Upholstered furniture, carpets, and hangings should be exposed to sunlight for several days. The persons who carry out the cleansing of the rooms should be protected by vaccination with fresh smallpox vaccine before undertaking such disinfection.

RULE 10. Vaccination.—It shall be the duty of the local health officer to provide, at public expense, free vaccination for all persons who have been exposed to a case of smallpox, or a case suspected of being smallpox.

Note.—It is advised that the following vaccination technique be employed:

(1) *Smallpox vaccine.*—The vaccine should be shipped from the laboratory in vacuum bottles and on receipt should be removed from the vacuum bottles and the package stored in an ice box. By limiting routine vaccination to stated periods during the year, fresh vaccine may be profitably purchased in bottles containing 1 c. c. which will be sufficient for 200 vaccinations.

(2) *Cleansing the site.*—Cleanse the arm at the deltoid insertion with alcohol and dry with sterile cotton. Leg vaccination should be avoided.

(3) *Scarification.*—Large scarifications are responsible for serious complications of vaccinia. The vaccinia vesicle develops in unbroken skin outside the area of scarification which should be reduced to the minimum by avoiding cross-scarification. Make three rotary scarifications with a sterile vaccination chisel or three parallel scratches, at least 1 inch apart, with a sterile needle. The scratches should be three-quarters of an inch in length.

(4) *Application of vaccine.*—If the vaccine is contained in 1 c. c. vials, a sterile toothpick may be used to transfer it to the arm and rub it into the scarifications. A fresh toothpick should be used for each vaccination and precaution should be taken to avoid contamination of the vaccine virus. If the capillary tubes are used, the sterile vaccination chisel may be used to rub in the vaccine dropped from the tube on the scarified spots.

(5) *Dressing.*—Avoid all shields or bunion plasters. The skin will protect the vesicle if the vesicle is small enough. Cover the vaccination wound with a square of sterile gauze held at the edges by adhesive tape. Stamp the date for first inspection on one of the tapes.

(6) *Inspection.*—Inspect the vaccination on the fifth and tenth days and apply fresh dressings. If the arm is painful an alcohol compress may be applied. Ointments should be avoided.

(7) *Vaccination certificates.*—Local health officers should discourage "due diligence" certificates. Two vaccinations with fresh vaccine should produce a result other than "can not be successfully vaccinated." Primary vaccinia, secondary vaccinia (vaccinoid), and reaction of immunity, are all manifestations of successful vaccination or "normal vaccinia" within the meaning of the law. One of the three results should follow every vaccination and its failure to appear suggests inert vaccine or faulty technique. In addition to the form prescribed in the vaccination act, it is recommended that space be provided as on the following form for designating which of the three forms of "normal vaccinia" resulted from the vaccination.

SMALLPOX VACCINATION CERTIFICATE.

....., Cal., 191...

This is to certify that
 was vaccinated on 191..., with
 proper aseptic precautions, and with vaccine prepared under U. S. Government license.
 Full instructions were given for home care during the progress of the vaccinia. I have
 this day 191..., completed my observations of the case and
 certified that the vaccination was successful.

Result: Vaccinia Vaccinoid Immunity reaction

.....
 Signature of vaccinator.

.....
 Vaccine number. Limitation date. Manufacturer.

Communicable Diseases—Notification of Cases—Measures to Prevent Spread. Local Health Officers—Appointment—Duties. Supervision of Sanitation Cities and Towns. (Ch. 123, Act. Apr. 24, 1917.)

SECTION 1. Section 2979a of the Political Code is hereby amended to read as follows:

2979a. It is the duty of each coroner, and of every county, city and county, city or town health officer, knowing or having reason to believe, that any case of cholera, plague, yellow fever, malaria, leprosy, diphtheria, scarlet fever, smallpox, typhus fever, typhoid fever, paratyphoid fever, anthrax, glanders, epidemic cerebrospinal meningitis, tuberculosis, pneumonia, dysentery, erysipelas, uncinariasis or hookworm, trachoma, dengue, tetanus, measles, German measles, chicken pox, whooping cough, mumps, pellagra, beriberi, Rocky Mountain spotted (or tick) fever, syphilis, gonococcus infection, rabies, poliomyelitis, or any other contagious or infectious disease exist, or has recently existed, within the city, county, city and county, town, or township of which he is such officer, to take such measures as may be necessary to prevent the spread of such disease, and to report at once in writing such cases to the secretary of the State board of health at Sacramento.

It is also the duty of every attending or consulting physician, nurse, or other person having charge of or caring for any person afflicted with any of said contagious diseases, to report at once in writing to the local health officer the nature of the disease, the name of the person afflicted and the place of his or her confinement: *Provided, however,* That syphilis and gonococcus infection shall be reported by office number only: *Pro-*

vided, further, That official records of tuberculosis cases shall be for official use only and not open to private inspection.

The State board of health, or its secretary, upon being informed of any such contagious or infectious disease, may thereupon take such measures as may be necessary to ascertain the nature of such disease and prevent the spread of such contagion, and to that end, said State board of health, or its secretary, may, if deemed proper, take possession or control of the body of any living person, or the corpse of any deceased person, and may direct and take such means as may be deemed expedient to arrest or prevent the further spread of such disease.

SEC. 2. Section 2984 of the Political Code is hereby amended to read as follows:

2984. It shall be the duty of the health officer of each municipality and incorporated town within this State to enforce within such municipality and incorporated town all orders, rules, and regulations concerning health and quarantine, and the registration, certification, and reporting of births, marriages, and deaths as prescribed or directed by the State board of health, and it shall be the duty of such health officer to report in writing to the State board of health at such times as said board shall require, all infectious, contagious and communicable diseases in man or beast which shall come to his knowledge, upon blanks furnished by the State board of health. Said health officer, in cases of local epidemic of disease shall report to the State board of health all facts concerning the disease and the measures taken to prevent or abate its spread, infection, or contagion. Every such health officer shall strictly observe and enforce within such municipality or incorporated town the provisions of "An act for the registration of deaths, the issuance and registration of burial and disinterment permits and the establishment of registration districts in counties, cities and counties, cities and incorporated towns, under the superintendence of the State bureau of vital statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and fixing penalties for the violation of this act," approved March 18, 1905, and also the provisions of chapter 3 of title 7 of part 3 (sections 3074 to 3084) of the Political Code of the State of California relating to the registration, certification and reporting of marriages, births, and deaths, and shall promptly report to the State board of health all violations of the State health laws and of the law relating to the registration, certification, and reporting of marriages, births, and deaths which shall come to his knowledge.

SEC. 3. Section 3061 of the Political Code is hereby amended to read as follows:

3061. The board of trustees, council, or other legislative body, by whatever name known, of any incorporated city or town of this State, shall by ordinance adopt for the regulation of sanitary matters within the city or town, such rules and regulations relative thereto as are necessary and proper, and not contrary to law, and shall supervise all matters pertaining to the sanitary condition of the city or town: *Provided*, That no part of this section shall be construed to prevent the appointment by the board or council or other legislative body of a board of health which shall be advisory to the health officer.

Every such board or council or other legislative body shall appoint a health officer who shall receive for his services such compensation as may be determined by said appointing body and shall hold office at its pleasure. Immediately after the appointment of the health officer the board or council shall notify the secretary of the State board of health of the appointment and the name and address of the appointee.

Each health officer of an incorporated city or town must:

First—Enforce and observe

(a) All orders and ordinances of the board of trustees or council of his city or town pertaining to health and sanitary matters.

(b) All orders, quarantine regulations and rules prescribed by the State board of health.

(c) All statutes relating to the public health and to vital statistics.

Second—Report to the secretary of the State board of health at Sacramento at such times as the State board may require:

(a) The sanitary condition of his locality.

(b) The number of deaths, with the cause of each, as near as can be ascertained, within his jurisdiction during the preceding month.

(c) The presence of epidemic or other dangerous, contagious, or infectious diseases and such other matters within his knowledge or jurisdiction as the State board may require.

SEC. 4. Section 3064 of the Political Code is hereby amended to read as follows:

3064. The board of supervisors must fix the salary or compensation of health officers, and provide for the expenses of enforcing the provisions of this article. If the board of supervisors or board of trustees, council, or other corresponding board of any incorporated town, neglects to provide a health officer by the first day of July, 1887, the State board of health may direct the district attorney of the county to begin an action against such board of supervisors, or board of trustees, or corresponding board, to compel the performance of their duty, or may appoint a health officer for such town or city, and the expenses of such health officer shall be a charge against the incorporated city or town for which such appointment shall be made; and when the appointment is made for unincorporated towns, the expenses of the health officer are a charge against the county.

Poliomyelitis and Cerebrospinal Meningitis—Required to be Quarantined. (Res. Bd. of H., July 7, 1917.)

Resolved, That the following diseases are hereby declared quarantinable and are added to the list of diseases which are required to be quarantined by the first paragraph of rule 1 of section 13 of the public health act: Poliomyelitis and epidemic cerebrospinal meningitis.

Leprosy—Transportation of Infected Persons—Escape from Isolation to be Reported. (Reg. Bd. of H., Mar. 3, 1917.)

No leper shall be transported, or encouraged to go from one county to another, or to a foreign country, without previous permission being obtained from the State board of health; and the escape of any leper from the isolation provided in accordance with section 2952 of the Political Code shall be reported at once to the State board of health.

Venereal Diseases—Notification of Cases—Specimens for Diagnosis—Instructions to Patient—Local Health Officers Appointed Inspectors—Investigation and Control by Local Health Officers—Reports of Unusual Prevalence or Conditions. (Reg. Bd. of H., Oct. 6, 1917.)

RULE 1. Notification.—Any person in attendance on a case of syphilis or gonococcus infection, or a case suspected of being one of syphilis or gonococcus infection, shall report the case immediately, by office number only, to the local health officer, who shall in turn report at least weekly on the prescribed form to the secretary of the State board of health all cases so reported to him.

Note 1.—In reporting by office number, an identifying number or initial shall be used which refers definitely to the physician's record of the case.

Note 2.—All cases of ophthalmia neonatorum, whether the infecting agent is the gonococcus or not, must be reported to the local health officer within 24 hours after the knowledge of the same, as required by chapter 724, Statutes of 1915. Copies of this statute may be obtained by application to the State board of health, Sacramento, or the bureau of venereal diseases, 525 Market Street, San Francisco. All physicians, midwives and other persons lawfully engaged in the practice of obstetrics may obtain, without cost, the prophylactic for ophthalmia neonatorum (silver nitrate solution in wax ampoules), together with directions for its use, by applying to the bureau of communicable diseases, Berkeley.

Note 3.—Any person in attendance on a case of syphilis or gonococcus infection who fails to report the case promptly to the local health officer is guilty of a misdemeanor, punishable by a fine of not less than \$25 nor more than \$500, or by imprisonment for a term of not more than 90 days, or by both such fine and imprisonment. (See Public Health Act, sections 13 (rule 2), 16, and 21.)

Note 4.—Physicians attending cases of syphilis and gonococcus infection are expected to furnish to the health officer at the times of reporting the case, any available useful data regarding the sources of infection, in order to assist in the control of these diseases.

RULE 2. *Diagnosis.*—The local health officer may require the submission of specimens from cases of syphilis or gonococcus infection, or cases suspected of being cases of syphilis or gonococcus infection, for the purpose of examination at a State or municipal laboratory. It shall be the duty of every physician attending a case of syphilis, or gonococcus infection, or a case suspected of being one of syphilis or gonococcus infection, to secure specimens for examination when required to do so by the local health officer.

Note 1.—Examinations of blood for syphilis by the Wassermann test, and microscopic examinations of smears of pus for gonococci are made without charge by the bureau of communicable diseases at Berkeley if the specimens are properly taken and mailed in the containers furnished by the bureau of communicable diseases. It is expected that the larger cities will provide adequate laboratory facilities. (See directions for sending material to the laboratory.)

RULE 3. *Instructions to the patient.*—It shall be the duty of the physician in attendance on a person having syphilis or gonococcus infection, or suspected of having syphilis or gonococcus infection, to instruct him in precautionary measures for preventing the spread of the disease, the seriousness of the disease, and the necessity for prolonged treatment, and the physician shall, in addition, furnish approved literature on these subjects.

Note 1.—Approved literature for distribution to patients may be secured from the bureau of venereal diseases of the State board of health, 525 Market Street, San Francisco.

Note 2.—The following instructions are required as a minimum by rule 2:

(a) To patients having syphilis:

1. Syphilis or pox is a contagious disease. It can usually be cured, but it requires two or more years of treatment.
2. You must not marry until a reputable physician has pronounced you cured.
3. Avoid all sexual relations.
4. Always sleep alone.
5. Do not kiss anyone.
6. Never permit anyone to use anything which has been in your mouth, such as toothpicks, toothbrushes, pipes, cigars, pencils, spoons, forks, cups, etc., or anything else that you have contaminated.
7. If you have to see a dentist, tell him about your disease before he examines your teeth.
8. Avoid patent medicines, so-called "medical institutes" and advertising "specialists."
9. Consult a reputable physician, or, in case of financial inability, the city or county physician, or a reputable dispensary such as is found in connection with most large public hospitals, and follow directions absolutely.

(b) To patients having gonorrhea:

1. Gonorrhea, "clap," or gleet, is a serious contagious disease. If properly treated it can usually be cured.
2. You must not marry until a reputable physician has pronounced you cured.
3. Avoid all sexual relations.
4. Always sleep alone, and be sure that no one uses your toilet articles, particularly your towels and washcloths.
5. Always wash your hands thoroughly after handling the diseased parts. The discharge, if carried to your eyes, may cause blindness.
6. Avoid patent medicines, so-called "medical institutes" and advertising "specialists."
7. Consult a reputable physician, or, if financially unable to do so, the city or county physician, or a reputable dispensary such as is found in connection with most large public hospitals, and follow directions absolutely.

Note 3.—If any person has knowledge that a person infected with syphilis or gonococcus infection is failing to observe adequate precautions to prevent spreading infection, he shall report the facts at once to the local health officer.

RULE 4. *Health officers designated inspectors.*—All city, county and other local health officers are, for the purpose of the control and suppression of venereal diseases, hereby

designated and appointed inspectors, without salary, of the State board of health of California, under the provisions of section 2979 of the Political Code.

Note 1.—The following paragraph is quoted from section 2979 of the Political Code:

"It (the State board of health) shall have general power of inspection, examination, quarantine and disinfection of persons, places and things, within the State, and for the purpose of conducting the same may appoint inspectors, who, under the direction of the board, shall be vested with like powers: *Provided*, That this act shall in nowise conflict with the national quarantine laws."

RULE 5. *Investigation and control of cases.*—All city, county and other local health officers are hereby directed to use every available means to ascertain the existence of, and immediately to investigate, all reported or suspected cases of syphilis in the infectious stages and gonococcus infection within their several territorial jurisdictions, and to ascertain the sources of such infections.

In such investigations said health officers are hereby vested with full powers of inspection, examination, isolation and disinfection of all persons, places and things, and as such inspectors said local health officers are hereby directed:

(a) To make examinations of persons reasonably suspected of having syphilis in the infectious stages or gonococcus infection. (Owing to the prevalence of such diseases among prostitutes, all such persons may be considered within the above class.)

(b) To isolate such persons whenever, in the opinion of said local health officer, the State board of health or its secretary, isolation is necessary to protect the public health. In establishing isolation the health officer shall define the limits of the area in which the person reasonably suspected or known to have syphilis or gonococcus infections and his immediate attendant, are to be isolated, and no persons, other than the attending physicians, shall enter or leave the area of isolation without the permission of the health officer.

(c) In making examinations and inspections of women for the purpose of ascertaining the existence of syphilis or gonococcus infection, to appoint women physicians for said purposes where the services of a woman physician are requested or demanded by the person examined.

(d) In cases of quarantine or isolation, not to terminate said quarantine or isolation until the cases have become noninfectious or until permission has been given by the State board of health or its secretary.

Cases of gonococcus infection are to be regarded as infectious until at least two successive smears taken not less than 48 hours apart fail to show gonococci.

Cases of syphilis shall be regarded as infectious until all lesions of the skin or mucous membranes are completely healed.

(e) Inasmuch as prostitution is the most prolific source of syphilis and gonococcus infection, all health officers are directed to use every proper means of repressing the same, and not to issue certificates of freedom from venereal diseases, as such certificates may be used for purposes of solicitation.

(f) To keep all records pertaining to said inspections and examinations in files not open to public inspection, and to make every reasonable effort to keep secret the identity of those affected by venereal disease control measures as far as may be consistent with the protection of the public health.

RULE 6. *Report of unusual prevalence.*—When the local health officer, through investigation, becomes aware of unusual prevalence of syphilis or gonococcus infection, or of unusual local conditions favoring the spread of these diseases, he shall report the facts at once to the bureau of venereal diseases, 525 Market Street, San Francisco.

Venereal Diseases—Standards for Dispensaries and Hospitals. (Reg. Bd. of H., Oct. 6, 1917.)

DISPENSARIES TREATING SYPHILIS.

1. *Special department.*—Syphilis shall be treated in a special department or the department of dermatology.
2. *Number of sessions.*—The dispensaries shall be open at least three times a week, day or evening.
3. *Staff.*—The staff shall be adequate in number and training.
4. *Equipment.*—Enough well-arranged rooms, laboratory facilities and equipment, with instruments and apparatus, shall be provided.
5. *Beds.*—Every dispensary shall have at its disposal beds for isolation or treatment.
6. *Records.*—Adequate records of all cases shall be kept.
7. *Social service required.*—A social service department shall be maintained and adequate measures adopted to secure a regular attendance of patients.
8. *Information to patients.*—Clinicians shall devote the amount of time necessary for intelligently informing new patients of the seriousness of their disease, the necessity for prolonged treatment, and the precautions necessary to prevent the spread of infection to others, and the clinics shall, in addition, furnish approved literature on these subjects. (This literature can be secured from the bureau of venereal diseases.)
9. *Microscopic examinations.*—Microscopic examinations of suspected initial lesions shall be made.
10. *Wassermann tests.*—Wassermann tests shall be performed in the dispensary laboratory or other approved laboratory.
11. *Administration of salvarsan or equivalents.*—Salvarsan or accepted equivalents shall be administered to all cases where there are no contraindications. (Salvarsan or approved substitutes may be obtained without cost from the bureau of venereal diseases, 525 Market Street, San Francisco, for the treatment of infectious cases of syphilis in approved dispensaries.)
12. *Procedure covering the discharge of patients.*—Suitable tests and observations shall be made of all patients for a period of not less than two years after the conclusion of adequate treatment. (See pamphlet "Modern Treatment of Syphilis," obtainable from the bureau of venereal diseases.)
13. *Transfer of patients.*—If it becomes necessary for any reason to discharge a patient still uncured, the patient shall be referred to an approved dispensary or a reputable physician.
14. *Annual report.*—An annual report of work done in the dispensary shall be made. It is suggested that this include the number of new and old patients and number of visits made, the number of patients continued under observation and treatment from one year into the next, the number of doses of salvarsan or equivalent administered (with a separate list of free doses), and the number of patients discharged as cured.

DISPENSARIES TREATING GONORRHEA.

1. *Number of sessions.*—Dispensaries shall be open at least three times a week, day or evening.
2. *Staff.*—The staff shall be adequate in number and training.
3. *Equipment.*—Enough well-arranged rooms, laboratory facilities and equipment, with instruments and apparatus, shall be provided.
4. *Beds.*—Every dispensary shall have at its disposal beds for isolation or treatment.
5. *Records.*—Adequate records of all cases shall be kept.
6. *Social service required.*—A social service department shall be maintained and adequate measures adopted to secure a regular attendance of patients.

7. *Information to patients.*—Clinicians shall devote the amount of time necessary for intelligently informing new patients of the seriousness of their disease, the necessity of treatment until cured, and the precautions necessary to prevent the spread of infection to others, and the clinic shall, in addition, furnish approved literature on these subjects. (This literature can be secured from the bureau of venereal diseases.)

8. *Microscopic examination.*—Systematic microscopic examination of discharges shall be made in departments treating patients affected with gonorrhea.

9. *Facilities for asepsis and antisepsis.*—All departments treating patients affected with gonorrhea shall be equipped with adequate facilities for asepsis and antisepsis.

10. *Urethroscopic and cystoscopic examination.*—Facilities for urethroscopic and cystoscopic examination shall be provided and regularly employed by the attending clinicians.

11. *Procedure governing discharge of patients.*—Patients shall be discharged as cured only after repeated negative clinical and microscopic examinations.

12. *Transfer of patients.*—If it becomes necessary for any reason to discharge a patient still uncured, the patient shall be referred to an approved clinic or reputable physician.

13. *Annual report.*—An annual report of work done in the dispensary shall be made. It is suggested that this include the number of new and old patients, the number of visits made, the number of patients continued under observation and treatment from one year into the next, and the number of patients discharged as cured.

HOSPITALS TREATING SYPHILIS AND GONORRHEA.

1. *No discrimination against venereal diseases.*—Patients having venereal diseases must be accepted under the same conditions as other patients.

2. *General standard of hospital.*—The hospital shall be properly equipped and well conducted.

3. *Staff and equipment.*—There shall be adequate staff and equipment for the diagnosis, treatment and keeping of records in cases of syphilis or gonococcus infection in general accord with the standards indicated for approved dispensaries.

4. *Follow-up.*—Social service and follow-up work shall be carried on as indicated for approved dispensaries, either by the hospital or by an approved dispensary to which patients are transferred.

Communicable Diseases—Pesthouses or Hospitals—Prohibition Against Maintenance in Cities and Towns Removed. (Ch. 44, Act Apr. 5, 1917.)

SECTION 1. Section 373 of the Penal Code is hereby repealed.

The section repealed read as follows:

SEC. 373. Every person who establishes or keeps, or causes to be established or kept, within the limits of any city, town, or village, any pesthouse, hospital, or place for persons affected with contagious or infectious diseases, is guilty of a misdemeanor.

Occupational Diseases—Act Requiring Reporting of, Repealed. (Ch. 227, Act May 11, 1917.)

SECTION 1. An act entitled "An act to provide for the reporting of occupational diseases," approved April 21, 1911, is hereby repealed.

Rodents, Insects, and Other Vermin—Extermination. (Ch. 531, Act May 18, 1917.)

SECTION 1. Section 2 of an act¹ entitled "An act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose," approved June 7, 1913, is hereby amended to read as follows:

¹Pub. Health Repts. Reprint 264, p. 64.

SEC. 2. Whenever any land, place, building, structure, wharf, pier, dock, vessel or water craft, or other property is infested with rodents, insects, or other vermin which are liable to convey or spread contagious or infectious disease from an existing focus declared by the State board of health, it shall be the duty of said board to at once notify the person, firm, copartnership, corporation, city, city and county, county, or district, owning said land, place, building, structure, wharf, pier, dock, vessel, or water craft, or other property of the existence of said rodents, insects, or other vermin, and said notice shall direct said owner to proceed immediately to exterminate and destroy said rodents, insects, or other vermin, and to continue in good faith such measures as may be necessary to prevent their return. Service of such notice upon a trustee, executor or administrator of the estate of the recorded owner of said property shall be deemed sufficient notice to the owner as provided herein and in the event the owner is absent from the State or can not with due diligence be found, said notice shall be mailed to such owner addressed to his address given on the last completed assessment roll of the county, or city and county in which said property is situate, or if no address be so given, then to his last known address and a copy of said notice shall be posted in a conspicuous place upon said property for a period of 10 days. In the event that said owner fails, refuses or neglects to proceed and continue as above provided, within 10 days from date of receipt of said notice, the State board of health may proceed to destroy said rodents, insects or other vermin, and take other appropriate measures to prevent their return, and the cost thereof shall be repaid to the State board of health by the owner of said land, place, building, structure, wharf, pier, dock, vessel, water craft or other property: *Provided, however,* That said owner shall not be liable for expenditures in any one year, in excess of 10 per cent of the assessed valuation of such property, and the appropriation provided in section 1 of this act shall be reimbursed by the amount so paid, and may be again expended in a similar manner.

SEC. 2. Section 3 of an act entitled "An act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose," approved June 7, 1913, is hereby amended to read as follows:

SEC. 3. Any and all sums so expended by said State board of health shall be a lien upon the property on which such rodents, insects or other vermin shall have been destroyed, or other appropriate measures taken. The State board of health shall cause to be filed in the office of the county recorder of the county wherein said property is situated a notice setting forth the amount so expended by the State board of health and claiming a lien upon such property for the amount of such expenditures. Such claim of lien must be filed within six months after the first item of expenditure. An action to foreclose such lien shall be commenced within six months after the filing and recording of said notice of lien, which action shall be brought by the State board of health through its attorney and for its benefit: *Provided, however,* That the lien provisions of this act shall not apply to the property of any county, city and county, municipality, district, or other public corporation, but it shall be the duty of the governing body of such county, city and county, municipality, district or other public corporation to repay the State board of health the amount expended by it upon such property under the provision of this act upon presentation by said State board of health of a verified claim or bill showing the amount of such expenditures.

When the property is sold, enough of the proceeds to satisfy such lien and the costs of foreclosure shall be paid into the State treasury for the benefit of the fund herein created and the overplus, if any there be, shall be paid to the owner of the property if known, and if not known, shall be paid into the court for the use of such owner when ascertained.

When it appears from the complaint in such action that the property on which such lien is to be foreclosed is likely to be removed from the jurisdiction of the court, the

court may appoint a receiver to take possession of the property and hold the same while the action may be pending or until the defendant shall execute and file a bond, with sufficient sureties, conditioned for the payment of any judgment that may be received against him in the action and all costs.

Bureau of Vital Statistics—Maintenance—Duty of State Registrar. (Ch. 46, Act Apr. 5, 1917.)

SECTION 1. Section 3074 of the Political Code is hereby amended to read as follows:

3074. The State board of health shall maintain, at the city of Sacramento, a bureau of vital statistics for the complete and proper registration of births, marriages and deaths, for legal, sanitary and statistical purposes, which bureau shall be under the supervision of the State registrar of vital statistics. The duty of the State registrar of vital statistics shall be to promulgate and enforce all rules and regulations required to carry out the provisions of this chapter and that may be adopted from time to time by the State board of health.

State Board of Health—Employees—Appointment and Compensation. (Ch. 231, Act May 14, 1917.)

SECTION 1. Section 3075 of the Political Code is hereby amended to read as follows:

3075. There shall be a clerk of the State board of health who shall receive an annual salary of \$1,600, such salary to be paid in the same manner and at the same time as salaries of State officers. The State board of health may employ and fix the compensation of other additional clerical and professional assistants, but such compensation shall be paid from its fund for contingent expenses provided for in the general appropriation act.

Health Officers—Appointment in Unincorporated Cities and Towns—Law Repealed. (Ch. 102, Act Apr. 19, 1917.)

SECTION 1. Section 3062 of the Political Code is hereby repealed.

The section repealed reads as follows:

SEC. 3062. The board of supervisors of each county must appoint, in each unincorporated city or town of 500 or more inhabitants, a health officer, who has all the duties and powers of a board of health and health officer, as specified in this and the two preceding articles.

Local Health Districts—Organization, Government, and Dissolution. Local District Health Officers—Appointment, Powers, and Duties. (Ch. 571, Act May 21, 1917.)

SECTION 1. A local health district may be organized, incorporated and managed as herein provided, and may exercise the powers herein granted or necessarily implied. Such a district may include incorporated or unincorporated territory or both, in any one or more counties: *Provided*, That the territory of the district consists of contiguous parcels and that the territory of no municipal corporation is divided.

SEC. 2. Whenever the formation of a local health district is desired, a petition, which may consist of any number of instruments, may be presented at a regular meeting of the board of supervisors of the county in which the proposed district or portion thereof is situated, signed by registered voters of each unit of the district equal in number to at least 10 per cent of the number of votes cast in each unit respectively for the office of governor at the last preceding general election at which a governor was elected. For the purposes of this act all unincorporated territory in a proposed district and in one and the same county shall be regarded as an entirety and as a unit, and each incorporated city or town in a district shall likewise be regarded as a unit. If an incorporated city or town is included, the common council, board of trustees or other governing body thereof shall, by resolution duly authenticated, request the inclusion of the

city or town in the proposed district. The petition shall set forth and describe the proposed boundaries of the district and shall pray that the same be created under the provisions of this act. Prior to the time at which the petition is to be presented, the text thereof shall be posted for 30 successive days in three public places in each incorporated city or town and unincorporated district; and a reference to said text shall be published along with the notice herein mentioned in this paragraph and the following paragraph for four successive publications in a daily, semiweekly or weekly newspaper of general circulation printed and published in each incorporated city or town included therein, and if there is no such newspaper published in the city or town, then the text of the petition shall be posted for the same length of time in three public places as herein specified. The text of the petition so posted and published by reference as herein mentioned shall have annexed thereto a notice stating the time and place of the meeting of the board of supervisors at which the same will be presented. When the petition is composed of more than one instrument, one copy only thereof need be published or posted as herein specified in the posting and publication of the text and notice. No more than five of the names attached to the petition need appear in such publication or posting, but the number of signers must be stated. At least one month prior to the time at which the petition is to be presented, a copy of the text, notice and petition must be filed with the State board of health and board of supervisors of the county or counties.

With such publication there shall also be published, and if posted, there shall also be posted, a notice of the time of the meeting of the board when such petition will be presented and that all persons interested therein may then appear and be heard. At such time the board of supervisors shall hear the petition and those appearing thereon, and also all protests and objections to the same, and may adjourn such hearing from time to time, not exceeding two months in all. No defect in the contents of the petition or in the title to or form of the notice or signatures, or lack of signatures thereto, shall vitiate any proceedings thereon, provided such petition or petitions have a sufficient number of qualified signatures attached thereto. On the final hearing the board shall make such changes in the proposed boundaries as may be deemed advisable and shall define and establish such boundaries: *Provided*, That if the board deems it proper to include therein any territory not included within the proposed boundaries, they shall first give notice of their intention so to do, in the same manner as required for notice of the initial hearing.

SEC. 3. Upon the hearing of the petition the board of supervisors shall determine whether it complies with the provisions of this act and whether the public necessity or the welfare of the inhabitants of the proposed territory requires the formation of the district, and for that purpose must hear all competent and relevant testimony offered in support of or in opposition thereto. The findings of the board shall be final and conclusive against all persons except the State of California upon suit commenced by the attorney general. If it appears to the board that the petition complies with the provisions of this act and that the public necessity or the welfare of the inhabitants requires the formation of the district, it shall by an order entered on its minutes so declare its findings, and shall further declare and order that the territory within the boundaries so fixed and determined be established as a local health district, under an appropriate name selected by the board, which name shall include the words "local health district." The county clerk shall immediately file a certified copy of the order with the secretary of state and with the county clerk of each county in which the district or any portion thereof is situated. Within 10 days of such filing the secretary of state shall issue and deliver to the county clerk a certificate reciting that the local health district (naming it) has been duly incorporated under the laws of the State of California. The county clerk shall deliver this certificate to the board of trustees of the district at the first meeting of the board. From and after the date of the certificate of the secretary of state, the district named therein, shall be deemed incorporated as a local health

district with all the rights, privileges and powers set forth in this act and necessarily incident thereto,

SEC. 4. Within 30 days of the issuance by the secretary of state of the certificate of incorporation of the district, a board of trustees for the district shall be appointed. The board shall consist of one trustee to be appointed from each unit in the case of unincorporated territory by the board of supervisors, and in the case of an incorporated city or town, by the local governing body thereof: *Provided*, That if the board of trustees thereby created consists of less than five members, then the board of supervisors shall appoint from the district at large enough additional members to make a board of five trustees, if the unit of the district at large is within one county; and if there are several units of the district at large in more than one county, then by the board of supervisors of the county where such unit is situated; and by the boards of supervisors jointly if the district at large constitutes units in several counties and one additional member is to be appointed. A vacancy shall be filled by the appointing power for the unexpired term. The governing board of the district shall be called "the board of trustees of local health district" (inserting the name of the particular district). The trustees shall hold office for the term of two years from and after the second day of the calendar year next succeeding their appointment: *Provided, however*, That the first board of trustees appointed in a district shall at their first meeting so classify themselves by lot that one-half of their number, if the total membership is an even number, and if uneven, then that a bare majority of their number, shall go out of office at the expiration of one year, and the remainder at the expiration of two years from the second day of the calendar year next succeeding their appointment.

SEC. 5. The members of the board of trustees shall meet on the first Monday subsequent to 30 days after the issuance of the certificate of incorporation by the secretary of state, and shall organize by the election of one of their members as president and one as secretary. The members of the board shall serve without compensation except that each shall be allowed his actual necessary traveling and incidental expenses incurred in attending meetings of the board. The board shall provide for the time and place of holding its regular meetings and the manner of calling the same, and shall establish rules for its proceedings and may adopt such rules and regulations not inconsistent with law as may be necessary for the exercise of the powers conferred and the performance of the duties imposed upon the board. Special meetings may be called by three trustees and notice of the holding thereof shall be mailed to each member at least 48 hours before the meeting. All of its sessions, whether regular or special, shall be open to the public, and a majority of the members of the board shall constitute a quorum for the transaction of business.

SEC. 6. Each local health district shall have and exercise the following powers:

- (1) To have and use a corporate seal and alter it at pleasure;
- (2) To sue and be sued in all courts and places and in all actions and proceedings whatever;
- (3) To purchase, receive, have, take, hold, lease, use and enjoy property of every kind and description, both within and without the limits of the district, and to control, dispose of, convey and encumber the same and create a leasehold interest in same for the benefit of the district;
- (4) To acquire, construct, maintain and operate all works and equipment necessary for the inspection of water, milk, meat and other foods, the extermination of rodents and the disposal of garbage and waste;
- (5) To employ public health nurses and health visitors and to cooperate with educational authorities in health inspection in public or private schools in the district;
- (6) To exercise the right of eminent domain for the purpose of acquiring real or personal property of every kind necessary to the exercise of any of the powers of the district;

(7) To enforce all statutes relating to the public health and vital statistics, and all orders, quarantine regulations and rules prescribed by the State board of health;

(8) To enforce such local orders and ordinances pertaining to health and sanitary matters within the district as may be authorized by the appropriate local authorities;

(9) To unite with any other local health district or districts in the exercise of any of the powers herein granted to and vested in each district, the cost thereof to be paid by each district in such proportion as may be agreed upon by the respective district boards of trustees;

(10) To exercise all other needful powers for the preservation of the health of the inhabitants of the district, whether such powers are herein expressly enumerated or not;

(11) This grant of power is to be liberally construed for the purpose of securing the well-being of the inhabitants of the district.

SEC. 7. The board shall appoint and fix the compensation of a district health officer, who may be removed by the board only by a two-thirds vote of the members thereof. He shall be the holder of a degree in medicine, sanitary engineering or public health and shall have had at least one year's experience in public health work. He shall devote his entire time to the duties of his office and is expressly prohibited from engaging in any other occupation or business. The board shall provide suitable supplies, equipment and office facilities for the health officer and, upon the recommendation of the health officer, shall fix the compensation and define the powers and duties of such deputies and assistants to the health officer as the board may deem necessary to carry out the provisions of this act. If a meat inspector is employed, he shall be a graduate veterinarian legally qualified to practice veterinary medicine in the State of California.

The health officer, his deputies and assistants, shall receive their actual necessary expenses incurred in the performance of their duties. In enforcing State statutes, orders, regulations and rules and local orders and ordinances the health officer shall have such powers as are or may be hereafter conferred by general law upon county or municipal health officers. All district officers, deputies and assistants other than the health officer and the members of the board of trustees shall be appointed and may be removed by the board of trustees on the recommendation of the health officer, subject to such rules and regulations as the board of trustees, in its discretion, may adopt for the appointment and employment of deputies and assistants, based on merit, efficiency, character and industry.

SEC. 8. The health officer shall be recognized as the administrative head of the district and, except as herein otherwise prescribed, shall exercise the powers granted to and vested in the district: *Provided*, That he may not purchase property or incur expenditures without the approval or ratification of the board of trustees.

SEC. 9. Annually, at least 15 days before the first day of the month in which county taxes are levied, the board of trustees of each local health district shall furnish to the board of supervisors of the county in which the district or any part thereof is situated an estimate in writing of the amount of money necessary for all purposes required under the provisions of this act during the next ensuing fiscal year. Thereupon it shall be the duty of the board of supervisors to levy a special tax upon all taxable property of the county lying within the district sufficient in amount to maintain the district. The tax shall in no case exceed the rate of 15 cents on each \$100 of the assessed valuation of all taxable property within the district, but it may be in addition to all other taxes allowed by law to be levied upon such property. The tax shall be computed, entered upon the tax rolls and collected in the same manner as county taxes are computed, entered and collected. All moneys so collected shall be paid into the county treasury to the credit of the particular local health district fund and shall be paid out on the order of the district board, signed by the president and secretary thereof. If the district embraces territory lying in more than one

county, the amount estimated shall be ratably apportioned among the several counties in the district in proportion to the assessed value of the property in the several counties included within said district as shown upon the last assessment rolls of the said counties, and the estimate apportioned to the several counties shall be rendered to their respective boards of supervisors and the tax shall be levied and collected by the officials of each county upon the property of the district lying therein.

SEC. 10. Any territory, incorporated or unincorporated, lying adjacent and contiguous to a local health district, may be added and annexed to such district at any time upon proceedings being had and taken as in this act prescribed: *Provided*, That in such annexation the territory of no municipal corporation may be divided. The board of trustees of such district, upon receiving a written petition therefor containing a description of the new territory sought to be annexed to such district, signed by the owners comprising more than one-half of the assessed value of such territory as shown by the last county assessment roll, must thereupon submit to the electors of the district and also to the electors residing in the territory sought to be annexed, the proposition of whether such proposed territory shall be annexed and added to such district. The proposition to be submitted to the electors at such election, both within said district and within said territory so proposed to be annexed, shall be as follows: "For annexation," or "Against annexation," or words equivalent thereto. Such election must be called and held, and notice thereof shall be published for at least four weeks prior to such election in a newspaper printed and published in such district, and also in a newspaper printed and published in such territory so proposed to be annexed. The board of trustees shall canvass, separately, the votes cast within said district, and the votes cast within said territory so proposed to be annexed, and if it shall appear from such canvass that a majority of all the ballots cast in such district and a majority of all the ballots cast in such territory so proposed to be annexed are in favor of annexation, the board of trustees shall certify such fact to the secretary of state describing said property proposed to be annexed and upon receipt of such last mentioned certificate, the secretary of state shall thereupon issue his certificate reciting that the territory (describing the same) has been annexed and added to the local health district (naming it), and a copy of such certificate of the secretary of state shall be transmitted to and filed with the county clerk of each county in which such local health district or any portion thereof is situated. From and after the date of such certificate the territory named therein shall be deemed added and annexed to and shall form a part of said local health district, with all the rights, privileges and powers set forth in this act and necessarily incident thereto. If the property so proposed to be annexed includes a municipal corporation, consent to annexation shall first be obtained from the governing board thereof, and an authentic copy of the resolution or order of such board so consenting to such annexation shall be attached to the petition and be made a part thereof.

SEC. 11. A district may at any time be dissolved upon the vote of two-thirds of the qualified electors thereof, upon an election called by its board of trustees upon the question of dissolution and the proposition which shall be submitted to the electors at such election shall be as follows: "Shall the district be dissolved?" Such election must be called and held, and notice thereof shall be published for at least four weeks prior to such election in a newspaper printed and published in the district. If two-thirds of the votes at such election shall be in favor of the dissolution of the district, the board of trustees shall certify such fact to the secretary of state, and upon receipt of such last mentioned certificate, the secretary of state shall thereupon issue his certificate reciting that the local health district (naming it) has been dissolved, and a copy of such certificate of the secretary of state shall be transmitted to and filed with the county clerk of each county in which the district or any portion thereof is situated. From and after the date of such certificate the district named therein shall be deemed disincorporated and the property of the district shall be

rately apportioned among the several municipalities included in the district and the county or counties in which the district or any portion thereof is situated, in proportion to the assessed value of the property included within said district as shown upon the last county assessment roll or rolls.

SEC. 12. Whenever it appears that the territory of the proposed district is in more than one county, it is to be expressly understood in this act that the phrase "board of supervisors" shall include plural as well as singular and that the same procedure and law as herein set forth for the establishing of such local health district in a county only shall likewise apply to the adjoining county or counties whose territory or portion thereof is included in the proposed local health district, and that no district involving more than one county shall be formed without the concurrent consent of the respective board of supervisors of each of said counties, as well as the consent of the municipalities included therein, and that such district shall be officially incorporated under the laws of the State of California when the respective counties have fully complied with the laws herein specified, and when the secretary of state has received the respective certified copies of the orders of the counties and delivered to the respective county clerks within the time in this act specified his certificate reciting that the local health district has been duly incorporated under the laws of the State of California.

SEC. 13. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Local Milk Inspection Departments—Approval by State Dairy Bureau—Dairy Inspectors—Grading of Milk—Date of Pasteurization Required—Bacteria Counts.
(Reg. Bd. of H., July 7 and Dec. 1, 1917.)

RULE 1. *Inspecting departments.*—Every city, county, or city and county, desiring the approval by the State dairy bureau of a milk inspection department, shall notify the said bureau of such desire. Upon receiving such notice the bureau shall send a representative to investigate whether or not such city, county, or city and county has a sufficient force of inspectors and sufficient laboratory facilities properly to enforce the act above referred to. Or, if no laboratories are provided, whether arrangement has been made with some person, or department, to do the bacteriological and other laboratory work.

Upon receiving a report from such representative, the bureau shall notify the department whether or not the report was favorable, and shall, if favorable, send notice of approval to said inspection department: *Provided*, That should the inspection department for any reason become inefficient, the State dairy bureau may withdraw the approval until such time when the said department has again been made efficient.

Provisions must have been made by the department for the physical examination of all the cattle producing the milk to be sold within the jurisdiction of the department at least once in every six months by a qualified veterinarian.

Should the report be unfavorable, the bureau must, at once, notify the department what must further be done or provided to obtain the approval.

RULE 2. *Inspectors.*—No dairy inspector appointed by the State dairy bureau, or by any health department, whose dairy inspection service is approved by the State dairy bureau, shall accept any compensation directly or indirectly for any professional service or for any advice rendered to any dairyman, nor shall any such inspector be the agent for, or be interested in, any firm or corporation selling, or handling, any supplies used by dairymen, creameries or other factories of dairy products.

The inspectors, whose duty it will be to inspect and score the dairies, shall have passed a civil service examination given either by the civil service commission of the city or county in which the inspection department is situated, or by the State civil service commission. Such examination, if given by a city, county, or city and county, shall be of equal or higher standard than that given by the State civil service commission for the position of dairy inspector: *Provided*, That all persons holding the position of dairy inspector in any city, county, or city and county for a period of six months prior to the first day of October, 1916, and performing the duty of such office to the satisfaction of the board of health of such city, or county, during that time, shall not be required to take the said examinations.

Nothing in these rules shall be construed to require the health officer of the State, or of any county, or city, to take an examination before being qualified to inspect dairies, milk plants, creameries, cheese factories, or any other factory where milk products are handled.

RULE 3. Authorization.—After the inspection of a dairy and the dairy herd and the making of a bacteriological examination of the milk from the dairy, the inspecting department shall notify the owner or manager of the dairy what grade of milk said dairy is authorized to sell.

RULE 4. Labeling.—The day of the week of pasteurization of the milk must appear on the container as provided in section 7, chapter 576, Statutes of 1917, and the size of the letters must not be less than one-sixteenth inch long and one-sixteenth inch wide where the milk is sold in bottles. Where milk is sold in receptacles larger than ordinary quart milk bottles the day of the week of pasteurization must be marked on the receptacles or on a tag attached to the same in letters not less than one-fourth inch in length and one-twelfth inch in width.

RULE 5. Counts of bacteria.—The method of ascertaining the number of bacteria in milk or cream shall be in accordance with the standard methods of the American Public Health Association for milk analysis.

Tuberculin Testing of Dairy Herds. (Reg. State Veterinarian, June 12, 1917.)

All tuberculin testing done under the provisions of the new dairy law will be conducted by the veterinarians of this department or official veterinarians of an established milk inspection service of a city, county, or city and county.

All testing will be done without any expense whatsoever to the owners of the dairy herds.

Animals which exhibit positive reactions to the tuberculin test will be marked with an indelible letter "T" on the ear. Such reactors must be removed from the herd.

While the intradermal tuberculin test will be the method generally used in official testing, this test will be supported, when required, by other tuberculin tests.

If new animals are introduced into a milking herd between official tests such animals shall have first passed a satisfactory tuberculin test applied by a qualified veterinarian, conducted in a manner satisfactory to this department, and a copy of the test record shall be forwarded to this department immediately upon completion of the test.

Milk, Butter, Ice Cream, and Other Milk Products—Production, Care, and Sale—Grading—Local Inspection Service. (Ch. 576, Act May 22, 1917.)

SECTION 1. It shall be unlawful for any person, firm or corporation, except in bulk to the wholesale trade, to sell or exchange or offer or expose for sale or exchange for human consumption any milk from cows that have not passed the tuberculin test, until it has been pasteurized by the holding process at a temperature not less than 140 degrees Fahrenheit for 25 minutes: *Provided*, That milk for drinking purposes shall not be heated for more than one hour nor above 145 degrees Fahrenheit: *Provided, further*,

That cream that is to be manufactured into butter may be pasteurized by heating it to a higher degree than milk and, when the same is uniformly heated to and held at a higher degree of temperature than 151 degrees Fahrenheit, the time of holding may be decreased from 25 minutes by one minute for each degree of temperature over 151 degrees Fahrenheit. It shall further be unlawful for any person, firm or corporation to sell or exchange or offer or expose for sale or exchange for human consumption any butter, ice cream or other milk products except cheese and butter as hereinafter provided, into the composition of which any milk enters other than that permitted in this section of this act, to be sold at retail for human consumption: *Provided*, That nothing in this act shall be construed to prohibit the use or sale of butter that is not pasteurized or butter that is not the product of nonreacting tuberculin-tested cows: *Provided*, That said butter be used by manufacturers of foodstuffs only and in the manufacture of such foodstuffs said butter shall be subjected to a minimum temperature of 225 degrees Fahrenheit: *And provided, further*, That it shall be unlawful to use any such butter except in the manufacture of food subjected to said temperature. Butter offered for sale for human consumption shall be marked: "From nonreacting tuberculin-tested cows," or "Pasteurized," as the case may be. Butter, which, by the provisions of this act, is permitted to be used for cooking and baking purposes only shall be marked "For cooking and baking only." Ice cream is hereby declared to be a milk product. For the purpose of this act milk shall be construed to include cream.

SEC. 2. It shall be unlawful for any person, firm or corporation to sell or exchange, or offer or expose for sale or exchange, in any city, county, or city and county, in which a milk inspection service, approved by the State dairy bureau, has been established, any milk otherwise than as hereinafter provided in this act, and for the purpose of this act, the term "inspecting department" shall be construed to mean the health department of a county or group of counties, city or group of cities, or city and county maintaining a milk inspection service approved by the State dairy bureau, and such inspecting department shall include at least one regularly licensed physician. It shall be unlawful for any person, firm or corporation to sell or exchange, or offer or expose for sale or exchange any milk as and for, or under the designation, label or other representation of "guaranteed," "grade A," or "grade B" milk, except within a county or group of counties, city or group of cities, or city and county maintaining a milk inspection service approved by the State dairy bureau: *Provided*, That a person, firm or corporation, which is authorized to sell milk within the jurisdiction of an inspecting department may sell milk from the same supply, of the same quality, in similar containers, and under the same label in territory outside the jurisdiction of any inspecting department, if local ordinances are not thereby violated, and also in territory within the jurisdiction of any other inspecting department, provided the consent of said other inspecting department has been previously obtained.

SEC. 3. All milk sold or exchanged or offered or exposed for sale or exchange except in bulk to the wholesale trade in any county or group of counties, city or group of cities, or city and county, in which a milk inspection service, approved by the State dairy bureau has been established, except certified milk, guaranteed milk, grade A milk and grade B milk, is hereby declared to be impure and unwholesome and must not be sold for human consumption.

SEC. 4. Where an inspection service is maintained as provided in section 2 of this act, milk shall be graded as follows: Certified milk, guaranteed milk, grade A milk, grade B milk and milk not suitable for human consumption: *Provided*, That milk sold or exchanged or offered or exposed for sale or exchange as and for, or under the designation, label or other representation of "guaranteed," "grade A" or "grade B," milk shall have the grade and whether raw or pasteurized marked on the container or cap of the container in capital letters not less than one-eighth inch long and one-sixteenth inch wide: *And provided, further*, That milk not suitable for human consumption shall be plainly so marked.

SEC. 5. No person, firm or corporation shall sell or exchange, or offer or expose for sale or exchange, as or for guaranteed milk, any milk, raw or pasteurized the quality of which is guaranteed by the dealer, without approval in writing of the inspecting department, which milk must be of a higher standard than that required for grade A raw milk.

SEC. 6. No person, firm or corporation shall sell or exchange, or offer or expose for sale or exchange, as and for grade A milk, any milk that does not conform to the rules and regulations and the methods and standards for production and distribution of grade A milk adopted by the inspecting department.

Grade A milk shall conform to the following requirements as a minimum: If raw, it shall consist of the clean raw milk from healthy cows as determined by physical examination at least once in six months by a qualified veterinarian under the supervision of the inspecting department, and by the tuberculin test by a qualified veterinarian under the supervision of the State veterinarian, and from dairies that score not less than 70 per cent on the score card hereinafter set forth: *Provided, however,* That dairies having not more than two milking cows, and, which are found by any such inspecting department to comply fully with the remaining provisions of this act are hereby exempted from such scoring requirements and from the use of the labels prescribed in section 4 hereof. The tuberculin test must be repeated annually if no reacting animals are found in the herd. If reacting animals are found they must be removed from the herd, and the tuberculin test repeated in six months. All cows are to be fed, watered, housed and milked under conditions approved by the inspecting department. All persons who came in contact with the milk must exercise scrupulous cleanliness and must not harbor the germs of typhoid fever, tuberculosis, diphtheria or other infectious diseases liable to be conveyed by milk. Absence of such infections shall be determined by cultures and physical examination, to the satisfaction of the inspecting department.

This milk is to be delivered in sterile containers and is to be kept at a temperature established by the inspecting department until it reaches the ultimate consumer, when it must contain less than 100,000 bacteria per cubic centimeter. If pasteurized it shall come from cows free from disease as determined by physical examination at least once in six months, by a qualified veterinarian under the supervision of the inspecting department. It shall contain less than 200,000 bacteria per cubic centimeter before pasteurization and less than 15,000 bacteria per cubic centimeter at the time of delivery to the ultimate consumer. Dairies from which this milk is derived must score at least 60 on the score card hereinafter set forth.

SEC. 7. No person, firm or corporation shall sell or exchange, or offer or expose for sale or exchange, as and for grade B milk, any milk that does not conform to the following requirements as a minimum: It must be obtained from cows in no way unfit for the production of milk for use by man, as determined by physical examination at least once in six months by a qualified veterinarian under the supervision of the inspecting department. Before pasteurization such milk shall contain less than 1,000,000 bacteria per cubic centimeter. After pasteurization it shall contain less than 50,000 bacteria per cubic centimeter.

Milk for pasteurization must be kept at a temperature established by the inspecting department up to the time of delivery to the pasteurization plant and rapidly cooled after pasteurization to a temperature of 50 degrees Fahrenheit or below and so maintained to the time of delivery of the same. Pasteurization shall be by the holding method at a temperature not less than 140 degrees Fahrenheit: *Provided,* That milk for drinking purposes shall not be heated above 145 degrees Fahrenheit.

Such pasteurizing plant shall be equipped with a self-registering device for record of the time and temperature of pasteurization. Such records shall be kept for two months and be available for inspection by any health department, the State veter-

inarian or any of his agents, or the State dairy bureau. Pasteurized milk shall be marked with the day of the week of pasteurization and must be delivered to the consumer within 48 hours thereafter. If milk is repasteurized, it must not be sold except as not suitable for human consumption: *Provided, however*, If graded, cream of any grade shall conform to all the standards set for milk of the same grade, except that the maximum bacterial count for cream shall be not more than two times as great as that of the corresponding grade of milk.

SEC. 8. Milk not suitable for human consumption may be sold for industrial purposes, provided it be heated to a higher temperature than necessary for pasteurization, and delivered in a distinctive container, plainly marked with the words "Not suitable for human consumption," in letters not less than one-quarter inch in length and one-twelfth inch stroke.

SEC. 9. Counties, or groups of counties, cities or groups of cities, or cities and counties, are hereby authorized to maintain a milk inspection service and laboratory conformable to requirements as set forth by the State dairy bureau, and to establish pasteurizing plants.

SEC. 10. Any person who shall violate any provision of this act or the rules made in accordance with section 11 of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$25 nor more than \$200, or by imprisonment in the county jail for not less than 10 days nor more than 60 days, or by both such fine and imprisonment. One-half of all such fines shall be paid into the State treasury and placed to the credit of the general fund.

SEC. 11. It shall be the duty of the State dairy bureau, with the assistance of the pure food and drugs laboratory, to enforce all the provisions of this act except the tuberculin testing of cows and the marking of reactors; and said bureau, with the approval and assistance of the pure food and drugs laboratory, is hereby empowered to make such rules and regulations as may be necessary and advisable for such enforcement.

SEC. 12. It shall be the duty of the State veterinarian, as soon as practicable, either directly or through local inspecting departments, to enforce the provisions of this act as to the tuberculin testing of cows and the exclusion of reacting animals from the herds, and to mark indelibly by tattooing the ear with the capital letter "T" one inch long any cattle which have been tested with tuberculin under the provisions of this act and found to react to the test. For such purpose he may appoint such veterinarians as may be necessary.

SEC. 13. If any dairyman not operating under an inspecting department desires to sell milk, he may file with the State veterinarian a written request that his cows be tuberculin tested. After the filing of such request, said dairyman shall not be liable under the provisions of this act until such time as the State veterinarian shall be able to make the required test. The provision of this section shall apply also to any dairyman, operating under an inspecting department, if such inspecting department approves.

SEC. 14. The following score card shall be used in scoring dairies under the provisions of this act:

180457°—20—4

DAIRY FARM SCORE CARD OF THE UNITED STATES BUREAU OF ANIMAL INDUSTRY.

[As approved by the bureau for use under California conditions.]

DAIRY FARM SCORE CARD.

Equipment.	Score.		Methods.	Score.	
	Perfect.	Allowed.		Perfect.	Allowed.
COWS.					
Health.....	6	.....	Clean.....	8	.....
Apparently in good health..... 1			(Free from visible dirt, 6.)		
If tested with tuberculin within a year and no tuberculosis is found, or if tested within six months and all reacting animals removed..... 5			STABLES.		
If tested within a year and reacting animals are found and removed..... 3			Cleanliness of stables.....	6	.....
Food (clean and wholesome)..... 1	1	.....	Floor..... 2		
Water (clean and fresh)..... 1	1	.....	Walls..... 1		
STABLES.			Ceiling and ledges..... 1		
Location of stable.....	2	.....	Mangers and partitions..... 1		
Well drained..... 1			Windows..... 1		
Free from contaminating surroundings..... 1			Stable air at milking time.....	5	.....
Construction of stable.....	4	.....	Freedom from dust..... 3		
Tight, sound floor and proper gutter..... 2			Freedom from odors..... 2		
Smooth, tight walls and ceiling..... 1			Cleanliness of bedding.....	1	.....
Proper stall, tie, and manger..... 1			Barnyard.....	2	.....
Provisions for light: Four square feet of glass per cow.....	4	.....	Clean..... 1		
(Three square feet of glass or four square feet of opening, 3; two square feet of glass or three square feet of opening, 2; one square foot of glass, 1. Deduct for uneven distribution.)			Well drained..... 1		
Bedding, or clean pasture for bed.....	1	.....	Removal of manure daily to 50 feet from stable.....	2	.....
Ventilation.....	7	.....	MILK ROOM OR MILK HOUSE.		
Ventilators in roof..... 2			Cleanliness of milk room.....	3	.....
Windows hinged at bottom..... 2			UTENSILS AND MILKING.		
(Sliding windows, 1.5; other openings, 1.)			Care and cleanliness of utensils.....	6	.....
Cubic feet of space per cow, 500 feet..... 3			Thoroughly washed..... 2		
(Less than 500 feet, 2; less than 400 feet, 1; less than 300 feet, 0.)			Sterilized in steam for 15 minutes (Placed over steam jet or scalded with boiling water, 2.)	3	.....
UTENSILS.			Protected from contamination.....	3	.....
Construction and condition of utensils.....	1	.....	Cleanliness of milking.....	9	.....
Water for cleaning.....	1	.....	Clean, dry hands..... 3		
(Clean, convenient, and abundant.)			Udders washed and wiped..... 6		
Small-top milking pail..... 5			(Udders cleaned with moist cloth, 4; cleaned with dry cloth or brush at least 15 minutes before milking, 1.)		
Milk cooler..... 1			HANDLING THE MILK.		
Clean milking suits..... 1			Cleanliness of attendants in milk room.....	2	.....
MILK ROOM OR MILK HOUSE.			Milk removed immediately from stable without pouring from pail.....	2	.....
Location: Free from contaminating surroundings.....	1	.....	Cooled immediately after milking each cow.....	2	.....
Construction of milk room.....	2	.....	Cooled below 50° F.....	5	.....
Floor, walls, and ceiling..... 1			(51° to 55°, 4; 56° to 60°, 2.)		
Light, ventilation, screens..... 1			Stored below 50° F.....	3	.....
Separate rooms for washing utensils and handling milk.....	1	.....	(51° to 55°, 2; 56° to 60°, 1.)		
Facilities for steam.....	1	.....	Transportation below 50° F.....	2	.....
(Hot water, 0.5.)			(51° to 55°, 1.5; 56° to 60°, 1.)		
Total.....	40	.....	(If delivered twice a day, allow perfect score for storage and transportation.)		
			Total.....	60	.....

Equipment + Methods = Final Score.

Note 1.—If any exceptionally filthy condition is found, particularly dirty utensils, the total score may be further limited.

Note 2.—If the water is exposed to dangerous contamination, or there is evidence of the presence of a dangerous disease in animals or attendants, the score shall be 0.

SEC. 15. The purpose of this act is to amend and supersede an act² entitled "An act to prevent the sale of impure and unwholesome milk, to grade milk, to provide rules and regulations therefor, and to empower cities, groups of cities, counties and groups of counties, or cities and counties, to establish inspection service; to provide for the enforcement of this act; to prescribe penalties for violation of the provisions hereof; and to make an appropriation therefor," which is hereby repealed.

Slaughtering—Inspection of Animals—Fees—Marking of Carcasses. (Ch. 224, Act May 11, 1917.)

SECTION 1. Any person, firm or corporation in the State of California, engaged in the slaughtering of cattle, sheep, swine, or goats, desiring to have the healthfulness of the meat and meat food products of such animals certified to, may make application for the inauguration of an inspection service in such establishment. Said application shall be in writing addressed to the State veterinarian of California, and shall be made on blanks which will be furnished by said State veterinarian. In such application such applicant for inspection shall agree to comply with the provisions of this act and to maintain said establishment in a clean and sanitary manner. Upon receipt of said application the State veterinarian shall make an inspection of said establishment and if found clean and sanitary, and properly equipped to conduct its business in a clean and sanitary manner, he shall inaugurate an inspection service therein, and shall give to such establishment an official number, and this number shall be used to mark the meat and meat food products of the establishment as hereinafter provided. Such an establishment shall thereafter be known as "Official Establishment No."

SEC. 2. The cost of such inspection service shall be borne by the establishment where it is maintained and shall be paid for in the following manner: When, in the opinion of the State veterinarian, the volume of business is sufficient to occupy the continuous services of one inspector, such establishment shall pay a fee of \$150 per month. When, in the opinion of the State veterinarian, the services of more than one inspector are required to properly carry on the work, the fee in such cases shall be \$150 per month for the first inspector, and \$125 per month for each additional inspector. When, in the opinion of the State veterinarian, the inspection work in two or more neighboring establishments can be properly supervised by one inspector, said State veterinarian may, in such cases, prorate the fees among such establishments, but in no instance where only one inspector is employed to supervise the work in more than one establishment shall the aggregate fees be less than \$150 per month, and in no such instance shall the individual fees be less than \$50 per month. All such fees shall be paid during the first week of January, April, July and October of each year and they shall be paid in advance for the ensuing three months. Such fees shall be paid to the State veterinarian, who shall at least as often as once each month and oftener if required to do so, report to the State controller the total amount of fees collected, and at the same time he shall pay into the State treasury the entire amount of said receipts. All such receipts shall be credited to the meat hygiene fund, which fund is hereby created, out of which shall be paid the salaries of inspectors who are appointed in accordance with the provisions of this act, as well as other expenses that may be incurred incidental thereto. In no instance, however, shall any of the fees collected as provided herein be refunded. The State veterinarian is hereby authorized to appoint such inspectors as may be necessary to carry out the provisions of this act.

SEC. 3. All slaughtering in each official establishment shall be conducted between the hours of seven o'clock a. m. and seven o'clock p. m. of any one week day, unless a special permit in writing or by telegram, authorizing slaughtering at any other time,

² Pub. Health Repts. Reprint 338, p. 41.

is granted by the State veterinarian. The manager or other person in charge of such establishment shall inform the inspector when work has been concluded for the day, and of the day and hour when work will be resumed. Where one inspector is detailed to conduct the work at two or more establishments where few animals are slaughtered, the inspector may designate the hours for work.

SEC. 4. In each official establishment an ante mortem examination shall be made of all cattle, sheep, swine and goats about to be slaughtered, and satisfactory facilities shall be provided for conducting such examinations, and for separating and holding apart from passed animals those that are unfit for immediate slaughter.

SEC. 5. In each official establishment a careful inspection shall be made of all animals at the time of slaughter. The head and tongue, tail, thymus gland, and all viscera, and all parts and blood used in the preparation of meat food and medicinal products shall be retained in such a manner as to preserve their identity until after the post-mortem examination has been completed. Carcasses and parts thereof found to be sound, healthful, wholesome and fit for human food shall be passed and marked in the following manner: Upon all passed carcasses and parts thereof slaughtered in an official establishment the inspector shall place a mark bearing the words "Cal. Inspected and Passed." This mark shall also contain the official number of the establishment. The number of such marks that shall be affixed and their location on the carcasses and parts thereof shall be determined by the State veterinarian. Each carcass or part thereof, which is found on post-mortem inspection to be unsound, unhealthful, unwholesome or otherwise unfit for human food shall be marked conspicuously by the inspector at the time of inspection with the words "Cal. Inspected and Condemned," and such carcass or part thereof shall, under the supervision of the inspector, be rendered unfit for human consumption in some manner approved by the State veterinarian.

SEC. 6. The State veterinarian shall, from time to time, make such rules and regulations as are necessary for the efficient execution of the provisions of this act, and all inspections and examinations made under this act shall be such and made in such manner as described in the rules and regulations prescribed by said State veterinarian not inconsistent with the provisions of this act: *Provided, however,* That in making such rules and regulations said State veterinarian shall be guided by the regulations governing meat inspection of the United States Department of Agriculture.

SEC. 7. It shall be unlawful for any person, firm or corporation except the inspector as herein provided, to have in possession, keep or use any mark, stamp or brand provided or used for marking, stamping or branding any article herein required to be marked, stamped or branded. It shall be unlawful for any person, firm or corporation to have in possession, keep, make or use any mark, stamp or brand having thereon a device or words similar in character or import to the marks, stamps or brands provided or used for marking, stamping or branding such articles, and any violation hereof shall be deemed a misdemeanor.

Eggs Which Have Been in Transit 31 Days or More—Sale. (Ch. 173, May 5, 1917.)

SECTION 1. For the purpose of this act the words "person, firm, company or corporation" shall include wholesalers, retailers, jobbers, and every person, firm, company or corporation owning, operating or conducting any place of business where eggs are sold or offered for sale.

SEC. 2. Every person, firm, company or corporation who sells, offers for sale, or has in his or their possession for sale, or consigns, ships or presents to any dealer, commission merchant, consumer, or other person, any egg or eggs which said egg or eggs is or were produced at any place requiring 31 days or more to transport the eggs to the selling point, shall, before so doing, cause to be stamped, marked or branded upon the container thereof in black-faced letters not less than one-half of an inch in height the word "storage."

SEC. 3. Every person, firm, company or corporation selling or offering for sale any eggs which were produced at any place requiring 31 days or more to transport the eggs to the selling point, prior to the date of sale or offering for sale, shall display in a conspicuous place in his or their public salesroom a sign which shall not be less than 1 foot in height and 6 feet in length, bearing the words "storage eggs sold here" in black-faced letters not less than 6 inches in height and 1 inch in width upon a white ground.

SEC. 4. Every person, firm, company or corporation who receives eggs that have been produced at any place requiring 31 days or more to transport the eggs to the selling point, prior to their sale or offering for sale, shall, immediately thereafter report to the State board of health the number of eggs received, the date when received and the place where such eggs were produced, and the name of the person, firm, company or corporation to whom sold.

SEC. 5. It shall be the duty of the State board of health to enforce the provisions of this act, and to that end the said board may make necessary rules and regulations.

SEC. 6. Every person, firm, company or corporation who shall fail to comply with any of the provisions of this act is guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for not more than six months; or by a fine of not more than \$200, or by both such fine and imprisonment in the discretion of the court.

Shellfish—Taking from Contaminated Sources Prohibited—Duties of State Board of Health. (Ch. 48, Act Apr. 5, 1917.)

SECTION 1. It shall be unlawful to take oysters, clams, quahaugs, mussels or other shellfish used or intended to be used for human consumption from any tidal waters, flats, areas or sources from which the taking of such shellfish shall be determined to be a menace to health as hereinafter provided.

SEC. 2. The State board of health may and is hereby empowered to examine any tide waters, flats, areas or sources from which oysters, clams, quahaugs, mussels or other shellfish may be taken, and to determine whether such waters, flats, areas or sources are subject to sewage contamination, and to determine whether the taking of such shellfish from such waters, flats, areas or sources does or may constitute a menace to the lives and health of human beings. Upon the determination by said State board of health that such waters, flats, areas or sources are or may be subject to sewage contamination and that the taking of shellfish therefrom does or may constitute a menace to the lives and health of human beings, said board shall ascertain as accurately as may be the bounds of such contamination, and shall cause the posting of notices prohibiting the taking of shellfish from such sources and describing the bounds of the tidal flats, waters, areas or sources from which the taking of shellfish shall be unlawful. The fact of the posting of such notices shall be published once a week for four successive weeks in some newspaper of general circulation, published in the county in which such waters, flats, areas or sources are situated, if there be one, and if there be none, then in a newspaper published in an adjoining county.

SEC. 3. It shall be the duty of the State board of health to enforce the provisions of this act and its inspectors and employees are hereby empowered to enter upon public or private property upon which shellfish may be located at all times for the purposes of this act.

SEC. 4. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$25 nor more than \$500 or by imprisonment for a term of not more than six months, or by both such fine and imprisonment, but such penalties shall not be incurred until the fact of such prohibition shall have been published for four successive weeks, as above provided. Each day's violation shall constitute a separate and distinct offense.

Foods and Drugs—Standard of Purity—Analyses—Condemnation. State Laboratory—Establishment—Appointment and Duties of Officers. (Ch. 781, Act June 1, 1917.)

SECTION 1. Section 3 of an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded foods and liquors and regulating the traffic therein, providing penalties, establishing a State laboratory for foods, liquors and drugs and making an appropriation therefor," approved March 11, 1907, as amended, is hereby amended to read as follows:

SEC. 3. The standard of purity of food and liquor shall be that proclaimed by the Secretary of the United States Department of Agriculture. Nothing in this section contained shall authorize or permit any adulteration of any food or liquor because the standard of purity of such food or liquor shall not be proclaimed by the Secretary of the United States Department of Agriculture.

SEC. 2. Section 9 of said act approved March 11, 1907, is hereby amended to read as follows:

SEC. 9. For the purpose of this act there is hereby established a State laboratory for the analysis and examination of foods and drugs, which shall be under the supervision of the State board of health, which laboratory shall be located at such place as the State board of health may select. The State board of health shall appoint a director of said laboratory, consulting nutrition expert, and an assistant to such director, all of whom shall be skilled pharmaceutical chemists and analysts of foods and drugs. Said director shall perform all duties required by this act and which shall be required by the State board of health. Said consulting nutrition expert shall at all times be ready for consultation with, give advice to, and perform duties in connection with the director of said laboratory, and shall at all times be under the supervision of and perform such duties under this act as are required by the State board of health. As a part of his duties he shall consult and advise with the State board of control concerning standards of purity and other matters relating to foods and drugs purchased by the State of California for any or all of its institutions. The assistant shall be under the supervision of the director and shall perform all duties required of him by the director and by the State board of health.

The director shall receive an annual salary of \$3,600, the consulting nutrition expert shall receive an annual salary of \$1,200 and the assistant to the director shall receive an annual salary of \$1,800. All such salaries shall be paid in the same manner and at the same time as the salaries of State officers.

The State board of health, out of the appropriation hereinafter provided, and out of the funds derived from the operation of this act, may employ and fix the compensation of other and additional clerical and professional assistants.

SEC. 3. Section 10 of said act approved March 11, 1907, is hereby amended to read as follows:

SEC. 10. The State board of health or its secretary, shall cause to be made by the said director of the State laboratory, or under his supervision, examinations and analyses of food and liquor on sale in California, suspected of being adulterated, mislabeled or misbranded at such times and places and to such extent as said board or its secretary may determine, and may appoint such agent or agents as it may deem necessary, and the sheriffs of the respective counties of the State are hereby appointed and constituted agents for the enforcement of this act, and any agent or sheriff shall have free access, at all reasonable hours, for the purpose of examining any place where it is suspected that any article of adulterated, mislabeled or misbranded foods exist, and such agent or sheriff upon tendering the market price of said articles, if a sale be refused, may take, from any person, firm or corporation samples of any articles suspected of being adulterated, mislabeled or misbranded, and shall

deliver or forward such samples to the said director of the State laboratory for examination and analysis. The director of the State laboratory, the agents and inspectors of the State board of health shall have the same powers as are possessed by peace officers in this State.

SEC. 4. Section 20 of said act approved March 11, 1907, is hereby amended to read as follows:

SEC. 20. Any person, firm, company or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$5 nor more than \$500, or shall be imprisoned in the county jail for a term not exceeding six months, or by both such fine and imprisonment. Whenever the director of the State laboratory shall find after investigation and examination that any article of food found in the possession of any person, firm, company or corporation is adulterated, misbranded or mislabeled within the meaning of this act, he may seize such article of food and tag the same "quarantined," and said article of food shall not thereafter be sold, offered for sale, removed or otherwise disposed of pending hearing and final disposition as in this act provided.

Whenever the director of the State laboratory or any agent or inspector of the State board of health shall find any article of food adulterated within the meaning of the sixth subdivision of section 4 of this act, he may seize such article of food and tag the same "quarantined" and said article of food shall not thereafter be sold, offered for sale, removed or otherwise disposed of until further notice in writing from said director of the State laboratory. Food found to be adulterated, mislabeled or misbranded within the meaning of this act may, by order of any court or judge, be seized and destroyed.

Water Supplies—Prevention of Pollution. (Ch. 600, Act May 24, 1917.)

SECTION 1. Sections 2 and 3 of an act entitled "An act for the preservation of the public health of the people of the State of California and empowering the State board of health to enforce its provisions, and providing penalties for the violation thereof," approved March 23, 1907, amended April 1, 1911, and June 13, 1913,³ are hereby amended to read as follows:

SEC. 2. It shall be unlawful to discharge, drain or deposit, or cause or suffer to be discharged, drained or deposited, any sewage, garbage, feculent matter, offal, refuse, filth, or any animal, mineral, or vegetable matter or substance, offensive, injurious or dangerous to health, into any springs, streams, rivers, lakes, tributaries thereof, wells or other waters used or intended to be used for human or animal consumption or for domestic purposes, or to maintain a sewer farm or to erect, construct, excavate, or maintain, or cause to be erected, constructed, excavated or maintained, any privy, vault, cesspool, sewage treatment works, sewer pipes or conduits, or other pipes or conduits, for the treatment and discharge of sewage or sewage effluents or impure waters, gas, vapors, oils, acids, tar, or any matter or substance offensive, injurious or dangerous to health, whereby the same shall overflow lands or shall empty, flow, seep, drain, condense into or otherwise pollute or affect any waters intended for human or animal consumption or for domestic purposes, or any of the salt waters within the jurisdiction of this State; or to add to, modify or alter any of the plant, works, system thereof or manner or place of discharge or disposal; or to erect or maintain any permanent or temporary house, camp, or tent, so near to such springs, streams, rivers, lakes, tributaries, or other sources of water supply, as to cause or suffer the drainage, seepage, or flow of impure waters, or any other liquids, or the discharge or deposit therefrom of any animal, mineral, or vegetable matter, to pollute such waters without a permit from the State board of health, as hereinafter provided.

³ Pub. Health Repts. Reprint 264, p. 75.

It shall also be unlawful for the owner, tenant, lessee or occupant of any house boat or boat intended for or capable of being used as a residence, house, dwelling or habitation, or for the agent of such owner, tenant, lessee or occupant to moor or anchor the same or permit the same to be moored or anchored in or on any river or stream, the waters of which are used for drinking or domestic purposes by any city, town or village within a distance of 2 miles above the intake or place where such city, town or village water system takes water from such river or stream: *Provided, however, That in the transportation of any such house boat on any such river or stream nothing herein contained shall prevent the owner, agent, tenant or occupant of such house boat from mooring or anchoring the same when necessary within the limits herein fixed and established: Provided, Such house boat shall not remain moored or anchored within such limits for a longer period than one day.*

SEC. 3. Whenever any county, city and county, city, town, village, district, community, institution, person, firm or corporation, shall desire to deposit or discharge, or continue to deposit or discharge into any stream, river, lake or tributary thereof, or into any other waters used or intended to be used for human or animal consumption or for domestic purposes, or into or upon any place the surface or subterranean drainage from which may run or percolate into any such stream, river, lake, tributary or other waters, any sewage, sewage effluent, or other substance by the terms of section 2 of this act forbidden so to be deposited or discharged, or whenever any such county, city and county, city, town, village, district, community, institution, person, firm or corporation shall desire to deposit or discharge, or continue to deposit or discharge any sewage, sewage effluent, trade wastes or any animal, mineral or vegetable matter or substance, offensive, injurious or dangerous to health in any of the salt waters within the jurisdiction of this State, or to maintain a sewer farm or to permit the overflow of sewage onto any land whatever, or shall desire to erect, construct, excavate or maintain any privy, vault, cesspool, sewage treatment works, sewer pipe or conduits, or other pipes or conduits for the treatment and discharge of sewage, sewage effluents, or any matter offensive, injurious or dangerous to health, or shall desire to add to, modify or alter any of the plant, works, or system or manner or place of discharge or disposal, he or it shall file with the State board of health a petition for permission so to do, together with a complete and detailed plan, description and history of the existing or proposed works, system, treatment plant and of such proposed addition to, modification or alteration of any of the plant, works, system or manner or place of discharge or disposal, such plans and general statement to be in such form and to cover such matters as the State board of health shall prescribe. Thereupon, a thorough investigation of the proposed or existing works, system and plant, and all circumstances and conditions by it deemed to be material, shall be made by the State board of health. As a part of such investigation, and after 10 days' notice by mail to the petitioner, a hearing or hearings may be had before said board or an examiner appointed by it for the purpose. At such hearing or hearings witnesses who testify shall be sworn by the person conducting the hearing, and evidence, oral and documentary, may be required, a record of which shall be made and filed with said board. Upon the completion of such investigation said board,

(a) If it shall determine as a fact that the substance being or to be discharged or deposited is such that under all the circumstances and conditions it may so contaminate or pollute such stream, river, lake, tributary, or other waters or lands on which it may be discharged, deposited or caused to overflow, as to endanger the lives or health of human beings or animals, or to constitute a nuisance, or does or may constitute a menace to public health or a nuisance, or that under all the circumstances and conditions it is not necessary so to dispose of such substance, the State board of health shall deny the prayer of such petition; and shall order petitioner to make such changes as the State board of health shall deem proper for the purpose of this act. The State board of

health may order the appointing of a competent person, to be approved by said board, and to be paid by said petitioner, who shall take charge of and operate such plant or system so as to secure the results demanded by the State board of health; and said board may order such repair, alteration or additions to the existing system, plant and works that the sewage or substance being or intended to be discharged or disposed of shall not contaminate or pollute streams or other water supplies, or endanger the lives, health or comfort of human beings or animals; and said board may order such changes of method, manner and place of disposal and the installation of such treatment works that streams and other water supplies will not be polluted or contaminated and the works and disposal shall not constitute a menace to health of human beings or animals, or a nuisance; which orders shall designate the period within which the desired charges are to be made: *Provided, however,* That a temporary permit may be issued by the State board of health for said period to permit compliance with such order or orders.

(b) If it shall determine, as a fact, that the substance being or to be discharged or deposited, is not such that under all the circumstances and conditions it will so contaminate or pollute such stream, river, lake, tributary or other waters, as to endanger the lives or health of human beings or animals, or to constitute a nuisance, and that under all the circumstances and conditions it is necessary so to dispose of such substance, it shall grant to petitioner a permit authorizing petitioner so to deposit or discharge or to continue to deposit or discharge such substance: *Provided, however,* That such permit shall not be construed to permit any act forbidden by any provision of the laws of this State relative to the preservation or propagation of fish or game, or relative to the deposit of debris into the streams of the State, or relative to the obstruction of navigation: *And provided, further,* That all permits issued hereunder shall be revocable by said board at any time or subject to suspension if said board shall determine, as a fact, that the substance discharged or deposited by virtue thereof causes or may cause a contamination or pollution of waters or land that does or may endanger the lives or health of human beings or animals, or does or may constitute a nuisance: *And provided, also,* That nothing contained in this act shall be construed as limiting or denying the power of any incorporated city, city and county, town or village to declare, prohibit and abate nuisances, or as limiting or denying the power of the State board of health to declare or abate nuisances.

The State board of health and its inspectors shall at any and all times have full power and authority to and shall be permitted to, enter into and upon any and all places, enclosures and structures for the purpose of making, and to make, examinations and investigations to determine whether any provision of this act is being violated. Whenever any petitioner shall be granted any permit by said board and under the provisions of this act, such petitioner shall furnish to said board upon demand a complete report upon the condition and operation of the system, plant or works, which report shall be made by some competent person designated for the purpose by said board, and at the sole cost and expense of the holder of the permit.

- Any county, city and county, city, town, village, district, community, institution, person, firm or corporation, who shall deposit, discharge or continue to deposit or discharge, into any stream, river, lake, or tributary thereof, or into any other waters, used or intended to be used for human or animal consumption or for domestic purposes, or into or upon any place the surface or subterranean drainage from which may run or percolate into any such stream, river, lake, tributary or other waters, or into any of the salt waters, or lands, within the jurisdiction of this State, any sewage, sewage effluent or other substance by the terms of section 2 of this act forbidden to be so deposited or discharged, without having an unrevoked permit so to do, as in this act provided, may be enjoined from so doing by any court of competent jurisdiction at the suit of any person or municipal corporation whose supply of water for human or

animal consumption or for domestic purposes is or may be affected, or by the State board of health.

Anything done, maintained, or suffered, in violation of any of the provisions of section 2 or section 3 of this act shall be deemed to be a public nuisance, dangerous to health, and may be summarily abated as such.

Every county, city and county, city, town, village, district, community, institution, firm, corporation or person, or any officer, employee or agent thereof upon whom the duty to act is cast, who shall violate any provision or part thereof of section 2 or 3 of this act, or who shall fail to obey, observe or comply with any direction, order, requirement or demand or any part or provision thereof of the State board of health, or who aids or abets any such county, city and county, city, town, village, district, community, institution, firm, corporation or person, or any officer, employee or agent thereof in any failure to obey or comply with the provisions of this act or the orders of the State board of health as provided in this act, shall become liable for and forfeit to the State of California the penal sum of not more than \$1,000 to be fixed by the court for each and every offense. The continued existence of any violation of this act for each and every day beyond the time stipulated for compliance with any of its provisions or of any order of the State board of health as provided herein shall constitute a separate and distinct offense. All penalties are to be recovered by the State in civil action brought by the State of California and such penalties when collected shall be paid into the general fund of the State treasury.

Every officer, agent or employee of any county, city and county, city, town, village, district, community, institution, firm, corporation or person who shall violate or fail to comply with any of the provisions of section 2 or section 3 of this act or with the order or orders of the State board of health or any part thereof, or who aids or abets in any failure to observe and comply with any such provision, order, or part thereof, is guilty of a misdemeanor and is punishable by a fine not exceeding \$1,000 or by imprisonment in the county jail not exceeding one year or by both such fine and imprisonment, for each offense. Each day's violation of this provision shall constitute a separate and distinct offense.

Water Supplies—Furnishing Impure Water Prohibited. (Ch. 754, Act June 1, 1917.)

SECTION 1. Sections 1 and 2 of an act⁴ entitled "An act to prevent the supply of water dangerous to health for domestic purposes and to provide for the installation of sanitary water systems," approved June 13, 1913, are hereby amended to read as follows:

SECTION 1. It shall be unlawful for any person, firm, corporation, public utility, municipality or other public body or institution to furnish or supply or to continue to furnish or supply water used or intended to be used for human consumption or for domestic uses or purposes which is impure, unwholesome, unpotable, polluted or dangerous to health, to any person in any county, city and county, municipal corporation, village, district, community, hotel, temporary or permanent resort, institution or industrial camp.

SEC. 2. Whenever any person, firm, corporation, public utility, municipality or other public body or institution shall desire to furnish or supply or to continue to furnish or supply water for domestic uses or purposes to any person in any county, city and county, municipal corporation, village, district, community, hotel, temporary or permanent resort, institution or industrial camp, or shall desire to install, add to, modify or alter any of the plant, works, system or sources of supply, it or he shall file as herein provided with the State board of health a petition for permission so to do, together with complete plans and specifications and a statement containing a general description and history of the existing or proposed water supply system of proposed

⁴Pub. Health Repts. Reprint 264, p. 73.

changes therein showing the geographical location thereof with relation to, the source of the water supply and all the sanitary and health conditions surrounding and affecting said supply and the works, system and plant, such plans, specifications and general statement to be in such form and to cover such matters as the State board of health shall prescribe. Thereupon a thorough investigation of the proposed or existing works, system, plant, water supply and all other circumstances and conditions by it deemed to be material must be made by the State board of health: *And provided, however,* That no person, firm or corporation supplying water for domestic purposes or use on his or its private property upon which there is no industrial camp, hotel, temporary or permanent resort using said water, or supplying less than 200 service connections, shall be required to apply for a permit under the provisions of this section except upon formal complaint filed with the State board of health.

As a part of such investigation, and after 10 days' notice by mail to the petitioner, a hearing or hearings may be had before said board or an examiner appointed by it for the purpose. At such hearing or hearings witnesses who testify shall be sworn by the person conducting the hearing, and evidence, oral and documentary, may be received, a record of which shall be made and filed with said board. Upon the completion of such investigation, said board:

(a) If it shall determine, as a fact, that the water being furnished or to be furnished or supplied is such that under all the circumstances and conditions it is impure, unwholesome or unpotable, or may constitute a menace or danger to the health or lives of human beings, or that under all the circumstances and conditions the existing or proposed works, system, plant or water supply, or proposed modifications therein, are unhealthful or insanitary, or not suited to the production and delivery of healthful, pure and wholesome water at all times, it shall deny the prayer of such petitioner, and said board shall order the petitioner to make such changes as it deems necessary to secure a continuous supply of pure, wholesome, potable and healthful water. Said board may order the appointing of a competent person, to be approved by the State board of health and paid by said petitioner, who shall take charge of and operate such plant or system so as to secure the results demanded by the State board of health; and it may order such repair, alteration or addition to the existing system, plant and works that the water furnished or supplied shall at all times be pure, wholesome, potable and shall not endanger the lives or health of human beings; and said board may order such changes of source of the water supply or installation of purification and refining works and such other measures as shall insure a continuous supply of pure, wholesome and potable water which shall not endanger the lives and health of human beings; which orders shall designate the period within which the required changes are to be made: *Provided, however,* That a temporary permit may be issued by the State board of health for said period to permit the petitioner to comply with such order or orders.

(b) If it shall determine, as a fact, that the water being furnished or supplied to such human beings is such, that under all the circumstances and conditions, it is pure, wholesome and potable and does not endanger the lives or health of human beings, it shall grant to petitioner a permit authorizing petitioner to furnish or continue to furnish or supply such water to such human beings: *Provided, however,* That all permits issued hereunder shall be revocable or subject to suspension by said board at any time that it shall determine, as a fact, that the water being supplied or furnished is or may become impure, unwholesome or unpotable or does or will endanger the lives or health of human beings. The State board of health and its inspectors shall at any and all reasonable times have full power and authority to, and shall be permitted to, enter into and upon any and all places, property, inclosures and structures for the purpose of making and to make examinations and investigations to determine whether any provision of this act is being violated. The holder of any permit granted by said board under the provisions of this act may at any time by order of said board be required to furnish to said board, upon demand, a complete report upon the condition

and operation of the water supply, plant, works or system owned, operated or controlled by it, which report shall be made by some competent person designated for the purpose by said board, and at the sole cost and expense of the holder of the permit. Any person, firm, corporation, public utility, municipality or other public body or institution who shall furnish or supply or continue to furnish or supply water used or intended to be used for human consumption or for domestic uses or purposes, or shall install additions to, modifications or alterations in, any of the existing plant, works, system, or sources of supply without having an unrevoked permit from the State board of health so to do, as in this act provided, may be enjoined from so doing by any court of competent jurisdiction at the suit of any person or persons, firm, corporation, municipal or other public corporation whose supply of water for human consumption or for domestic uses or purposes is taken, or received from, or supplied or furnished by any such water furnishing or distributing person, firm, corporation, public utility or municipality or other public body or institution, or it or he may be enjoined at the suit of the State board of health in the same manner. Anything done, maintained or suffered in violation of any of the provisions of this act shall be deemed to be a public nuisance dangerous to health and may be summarily abated in the manner provided by law and it shall be the duty of all and every public officer or officers, body or bodies lawfully empowered so to do to immediately abate the same.

Every person, firm, corporation, public utility, municipality, or other public body or institution, or officer, employee or agent thereof upon whom the duty to act is cast, and every person who shall violate any provision or part thereof of this act, or who shall fail to obey, observe or comply with any direction, order, requirement or demand or any part or provision thereof of the State board of health, or who procures, aids, or abets any such person, firm, corporation, public utility, municipality, or other public body or institution, or officer or employee or agent thereof, in any failure to obey or comply with the provisions of this act or the orders of the State board of health as provided in this act, shall become liable for and forfeit to the State of California the penal sum of not more than \$1,000 for each separate offense. The continued existence of any violation of this act for each and every day beyond the time stipulated for compliance with any of its provisions or of any order of the State board of health as provided herein shall constitute a separate and distinct offense. All penalties are to be recovered by the State in civil action brought by the State of California and such penalties when collected shall be paid into the general fund of the State treasury.

Every officer, agent or employee of any person, firm, corporation, public utility, municipality, or other public body or institution or person who shall violate or fail to comply with any of the provisions of this act or the order of the State board of health, or any part thereof, or who procures, aids or abets in any failure to observe and comply with any such provision, order, or part thereof, is guilty of a misdemeanor and is punishable by a fine not exceeding \$1,000 or by imprisonment in the county jail not exceeding one year or by both such fine or imprisonment, for each offense. Each day's violation of this provision shall constitute a separate and distinct offense.

Common Drinking Cups—Prohibited in Public Places—Drinking Water Receptacles.
(Ch. 744, Act June 1, 1917.)

SECTION 1. It shall be unlawful for any person, firm or corporation conducting, having charge of, or control of, any hotel, restaurant, saloon, soda fountain, store, theater, public hall, public or private school, church, hospital, club, office building, park, playground, lavatory or washroom, barber shop, railroad train, boat, or any other public place, building, room, or conveyance, to provide or expose for common use, or permit to be so provided or exposed, or to allow to be used in common, any cup, glass, or other receptacle used for drinking purposes.

SEC. 2. For the purposes of this act the term "common use" when applied to a drinking receptacle shall be defined as its use for drinking purposes by, or for, more

than one person without its being thoroughly cleansed and sterilized in boiling water or steam between consecutive uses thereof: *Provided*, That nothing in this act is to be construed as prohibiting the use of cups or devices for individual use only: *Provided, further*, That the State board of health may by resolution prescribe other acceptable methods of sterilization which may be used in place of the methods specified in this act.

SEC. 3. No cask, water cooler or other receptacle shall be used for storing or supplying drinking water to the public or to employees unless it is covered and protected so as to prevent persons from dipping the water therefrom or contaminating the same. All such containers shall be provided with a faucet or other suitable device for drawing the water: *Provided*, That jugs, cans, buckets and similar receptacles without faucets or other devices for withdrawing water may be used if the water is protected against contamination and is withdrawn by pouring only.

SEC. 4. It shall be the duty of the State board of health and of all health officers of counties, municipalities and health districts to enforce the provisions of this act.

SEC. 5. Any person, firm or corporation violating any provision of this act is guilty of a misdemeanor and shall be liable to a fine not exceeding \$25 for each offense.

Drinking Receptacles—Sterilization. (Res. Bd. of H., Dec. 1, 1917.)

The board, by resolution, in accordance with the provision of chapter 744, statutes of 1917, prescribed the following as an acceptable method of sterilizing drinking receptacles, which method may be used in place of sterilizing in boiling water or steam: The drinking receptacles shall be placed in a wire basket and immersed completely for a period of 5 minutes in a solution of not less than 1 pound of lye or caustic soda to each 2½ gallons of water, the lye being of standard commercial quality and containing not less than 96 per cent of sodium hydrate. When practicable, the lye solution should be used hot. All faces of the lye should be removed by washing with water before the glasses are handled.

Common Towels—Prohibited in Public Places. (Ch. 745, Act June 1, 1917.)

SECTION 1. No person, firm or corporation conducting, operating, having charge of, or control of, any hotel, restaurant, factory, store, barber shop, office building, school, public hall, railroad train, railway station, boat, or any other public place, room or conveyance, shall maintain or keep in or about any such place any towel for common use.

SEC. 2. For the purpose of this act the term "common use" when applied to a towel shall be defined as its use by, or for, more than one person without its being laundered by a process involving exposure to boiling water or steam between consecutive uses of such towel: *Provided*, That the State board of health may by resolution prescribe other acceptable methods of sterilization which may be used in place of the methods specified in this act.

SEC. 3. It shall be the duty of the State board of health and of all health officers of counties, municipalities and health districts, to enforce the provisions of this act.

SEC. 4. Any person, firm or corporation violating any of the provisions of this act is guilty of a misdemeanor and shall be liable to a fine not exceeding \$25 for each offense.

Births, Deaths, and Marriages—Registration—Establishment of Bureau of Vital Statistics—Appointment, Powers, and Duties of State Registrar—Burial and Removal Permits—Certified Copies of Records. (Ch. 548, Act May 18, 1917.)

SECTION 1. Section 1 of an act⁵ entitled "An act to provide a central bureau for the preservation of records of marriages, births and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under

⁵ Pub. Health Repts. Reprint 338, p. 56.

the superintendence of the State bureau of vital statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and to fix penalties for violation of this act; to create the offices of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, is hereby amended to read as follows:

SECTION 1. The State board of health shall maintain a bureau of vital statistics which shall have charge of such matters and shall have such powers as may from time to time be referred and delegated to it by the State board of health. The board shall appoint a State registrar who, by virtue of his office, shall be director of the bureau of vital statistics. His salary shall be \$2,400 per annum. The State registrar shall be a competent vital statistician. He shall have general supervision and control over the bureau of vital statistics. He shall devote his entire time to the duties of his office and shall not engage in any other occupation or business. The board shall appoint also a deputy statistician, whose salary shall be \$1,600 per annum, and two copyists, each of whom shall receive a salary of \$900 per annum. All such salaries shall be paid in the same manner and at the same time as the salaries of State officers. The State board of health may appoint and fix the compensation of such other additional professional and clerical assistants as may be necessary for the purposes of this act, but such compensation shall be paid from its fund for contingent expenses, as provided in the general appropriation act. As soon as practicable the custodian of the capitol shall provide for the bureau of vital statistics in the State capitol at Sacramento, suitable offices, which shall be properly equipped with fireproof vault and filing cases for the permanent and safe preservation of all official records made and returned under this act.

SEC. 2. Section 2 of said act is hereby amended to read as follows:

SEC. 2. The State registrar shall under the direction of the State board of health have charge of the registration of births, deaths, and marriages, shall prepare forms and blanks with instructions for obtaining and preserving such records and shall procure the faithful registration of the same in each primary registration district as constituted in section 3 of this act, and in the bureau of vital statistics of the State board of health at the capital of the State. The said board shall be charged with the uniform and thorough enforcement of the law throughout the State, and shall promulgate any additional regulations.

SEC. 3. Section 3 of said act is hereby amended to read as follows:

SEC. 3. For the purposes of this act the State shall be divided into registration districts as follows: each city and county, city and incorporated town, shall constitute a primary registration district; and each county, exclusive of the cities and incorporated towns therein, may be subdivided by the State registrar into a sufficient number of primary rural registration districts, the boundaries of which he shall define and which he may alter, combine, or subdivide from time to time as may be necessary to promote efficient and convenient registration of all births and deaths.

SEC. 4. Section 4 of said act is hereby amended to read as follows:

SEC. 4. The clerk of each city and county, city and incorporated town, shall be the local registrar in and for such primary registration district and shall perform all such duties of local registrar as hereinafter provided: *Provided, however,* That in cities having a freeholders' charter, the health officer may act as local registrar and perform all the duties thereof. The State registrar, subject to the approval of the State board of health or its secretary, shall appoint a local registrar for each primary rural district whose term of office shall be 4 years, and whom the State registrar may remove forthwith for failure or neglect to perform his duty as prescribed by this act.

Each local registrar for a primary rural district, besides transmitting to the State registrar each original birth and death certificate registered by him and besides retaining a complete and accurate copy of each such birth and death certificate for the local record of the primary rural district as required by section 19 of this act, shall also transmit to the recorder of the county for a special county record a complete and accurate copy of each original birth and death certificate transmitted by said local registrar to the State registrar: *Provided further*, That in accordance with sections 3076, 3078, and 3079 of the Political Code, the county recorder shall be the sole local registrar for marriages performed anywhere in the county. Each local registrar shall immediately appoint a deputy in writing, whose duty it shall be to act in his stead in case of his absence or disability; and such deputy shall in writing accept such appointment, and be subject to all rules and regulations governing local registrars. And when it appears necessary for the convenience of the people in any registration district, the local registrar is hereby authorized, with the approval of the State registrar, to appoint one or more suitable persons to act as subregistrars, who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the district as may be designated; and each subregistrar shall note, on each certificate, over his signature, the date of filing, and shall forthwith forward all certificates to the local registrar of the district, and in all cases before the third day of the following month: *Provided*, That each subregistrar shall be subject to the supervision and control of the State registrar, and may be by him removed for neglect or failure to perform his duty in accordance with the provisions of this act or the rules and regulations of the State registrar, and shall be subject to the same penalties for neglect of duty as the local registrar.

SEC. 5. Section 5 of said act is hereby amended to read as follows:

SEC. 5. The body of any person whose death occurs in this State, or which shall be found dead, the time of which shall be brought in from the place where the body is found, interred, deposited in a vault or tomb, cremated, disinterred or otherwise disposed of, or removed from or into any registration district, or be temporarily held pending further disposition more than 72 hours after death, unless a permit for burial, removal, or other disposition thereof shall have been properly issued by the local registrar of the registration district in which the death occurred or the body was found: *Provided*, That nothing in this act shall be construed to prevent an undertaker from removing a body from the registration district where the death occurred or the body was found to a contiguous registration district in the same or an adjoining county in an undertaker's conveyance for the purpose of preparing said body for burial or shipment. A removal permit must be secured within 48 hours and before embalming the body. No body where death occurred from any disease held by the State board of health to be infectious, contagious or communicable and dangerous to the public health shall be removed without first securing a removal permit in the manner provided in section 19 of this act. And no such burial or removal permit shall be issued by any registrar until, wherever practicable, a complete and satisfactory certificate of death has been filed with him as hereinafter provided: *Provided*, That when a dead body is transported from outside the State into a registration district in California for burial, the transit or removal permit, issued in accordance with the law and health regulations of the place where the death occurred, shall be accepted by the local registrar of the district into which the body has been transported for burial or other disposition, as a basis upon which he may issue a local burial permit, noting upon the face of the burial permit the fact that it was a body shipped in for interment, and giving the actual place of death; and no local registrar shall receive any fee for the issuance of burial or removal permits under this act other than the compensation provided in section 20.

SEC. 6. Section 7 of said act is hereby amended to read as follows:

SEC. 7. The certificate of death shall contain the following items, which are hereby declared to be necessary for the legal, social, and sanitary purposes subserved by registration records:

(1) Place of death, including State, county, township, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given.

(2) Full name of decedent. If an unnamed child, the surname preceded by "unnamed."

(3) Sex.

(4) Color or race—as white, black, mulatto (or other Negro descent), Indian, Chinese, Japanese, or other.

(5) Conjugal condition—as single, married, widowed or divorced.

(5a) Husband of ———.

(5b) Wife of ———.

(6) Date of birth, including the year, month, and day.

(7) Age, in years, months and days. If less than 1 day, the hours or minutes.

(8) Occupation. The occupation to be reported of any person, male or female, who had any remunerative employment with the statement of (a) trade, profession or particular kind of work; (b) general nature of industry, business or establishment in which employed (or employer).

(9) Birthplace; at least State or foreign country, if known.

(10) Name of father.

(11) Birthplace of father; at least State or foreign country, if known.

(12) Maiden name of mother.

(13) Signature and address of informant.

(14) Signature and address of informant.

(15) Official signature of registrar, with the date when certificate was filed, and registered number.

(16) Date of death, year, month, and day.

(17) Certification as to medical attendance on decedent, fact and time of death, time last seen alive, and the cause of death, with contributory (secondary) cause of complication, if any, and duration of each, and whether attributed to dangerous or insanitary conditions of employment; signature and address of physician or official making the medical certificate.

(18) Length of residence (for inmates of hospitals and other institutions; transients or recent residents) at place of death and in California, together with the place where disease was contracted if not at the place of death, and former or usual place of residence (giving city and State of residence).

(19) Place of burial or removal; date of burial.

(20) Signature and address of undertaker or person acting as such and license number of embalmer.

The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informant who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased; and said physician shall within 15 hours after the death deposit the certificate at the place of death, or deliver it to the attending undertaker at his place of business or at the office of said physician. Said physician shall specify in the certificate the time in attendance, the time he last saw the deceased alive and the hour of the day at which death occurred. And he shall further

state the cause of death, so as to show the course of disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause) and the contributory (secondary) cause, if any, and the duration of each. Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will not be held sufficient for the issuance of a burial or removal permit; and any certificate containing only such terms, as defined by the State registrar, shall be returned to the physician or person making the medical certificate for correction and more definite statement. Causes of death which may be the result of either disease or violence shall be carefully defined; and if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, or homicidal. And for deaths of nonresidents, transients or recent residents in hospitals or institutions, the physician shall supply the information required under this head (item 18), if he is able to do so, and shall state where, in his opinion, the disease was contracted.

SEC. 7. Section 10 of said act is hereby amended to read as follows:

SEC. 10. If the interment, or other disposition of the body is to be made within the State, the wording of the burial or removal permit may be limited to a statement by the registrar, and over his signature, that a satisfactory certificate of death having been filed with him, as required by law, permission is granted to inter, remove, or dispose otherwise of the body, stating the name, age, sex, cause of death, and other necessary details upon the form prescribed by the State registrar: *Provided*, That the transit permit prescribed by the State board of embalmers may be used in lieu of said burial or removal permit.

SEC. 8. Section 13 of said act is hereby amended to read as follows:

SEC. 13. Within 36 hours after the date of each birth there shall be filed with the local registrar of the district in which the birth occurred a certificate of such birth, which certificate shall be upon the form adopted by the State board of health with a view to procuring a full and accurate report with respect to each item of information enumerated in section 14 of this act.

In sparsely settled districts or where there is no direct mail communication with the county seat a reasonable time shall be fixed by the local registrar.

In each case where a physician, or midwife, or person acting as midwife, was in attendance upon the birth, it shall be the duty of such physician to file in accordance herewith the certificate herein contemplated.

In case no physician was in attendance it shall be the duty of the midwife or person acting as midwife to file such certificate.

In every case it shall be the duty of the father or mother of the child, the householder or owner of the premises where the birth occurred or the manager or superintendent of the public or private institution where the birth occurred, each in the order named, within 10 days after the date of such birth, to report to the local registrar the fact of such birth. In such case and in case the physician, midwife, or person acting as midwife, in attendance upon the birth is unable, by diligent inquiry, to obtain any item or items of information contemplated in section 14 of this act, it shall then be the duty of the local registrar to secure from the person so reporting, or from any other person having the required knowledge, such information as will enable him to prepare the certificate of birth herein contemplated, and it shall be the duty of the person reporting the birth or who may be interrogated in relation thereto to answer correctly and to the best of his knowledge all questions put to him by the local registrar which may be calculated to elicit any information needed to make a complete record of the birth as contemplated by said section 14, and it shall be the duty of the informant as to any statement made in accordance herewith to verify such statement by his signature, when requested so to do by the local registrar.

SEC. 9. Section 14 of said act is hereby amended to read as follows:

SEC. 14. The certificate of birth shall contain the following items, which are hereby declared necessary for the legal, social, and sanitary purposes subserved by registration records:

(1) Place of birth, including State, county, township or town, village or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given, instead of the street and house number.

(2) Full name of child. If the child dies without a name, before the certificate is filed, enter the words "died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

(3) Sex of child.

(4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural births.

(5) For plural births, number of each child in order of birth.

(6) Date of birth, including the year, month, and day.

(7) Full name of father.

(8) Residence of father (giving city and State of residence).

(9) Color or race of father.

(10) Age of father at last birthday, in years.

(11) Birthplace of father; at least State or foreign country, if known.

(12) Occupation of father. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business or establishment in which employed (or employer).

(13) Maiden name of mother.

(14) Residence of mother (giving city and State of residence).

(15) Color or race of mother.

(16) Age of mother at last birthday, in years.

(17) Birthplace of mother; at least State or foreign country, if known.

(18) Occupation of mother. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business or establishment in which employed (or employer).

(19) Number of children born to this mother, including present birth.

(20) Number of children of this mother living.

(21) The certification of attending physician or midwife as to attendance at birth, including statement of year, month, day (as given in item 7), and hour of birth, and whether the child was born alive or stillborn. This certification shall be signed by the attending physician or midwife, with date of signature and address; if there is no physician or midwife in attendance, then by the father or mother of the child, householder, owner of the premises, or manager or superintendent of public or private institution where the birth occurred, or other competent person, whose duty it shall be to notify the local registrar of such birth, as required by section 13 of this act.

(22) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

SEC. 10. Section 18 of said act is hereby amended to read as follows:

SEC. 18. The State registrar shall prepare and distribute all forms and blanks for use in registering, recording and preserving the returns, or in otherwise carrying out the purposes of this act; and shall prepare and issue such detailed instructions as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other forms or blanks shall be used

than those prepared by the State registrar. He shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory. Whenever a certificate is returned by a local registrar other than the registrar of the district in which the deceased resided, in the case of a death, or in which the father and mother of a child reside, in the case of a birth certificate, if the place of residence is a city within this State and having at least 2,500 inhabitants at the last Federal census, the State registrar shall mail to the local registrar of such city of residence, a complete copy of the certificate. And all physicians, midwives, informants, undertakers, clergymen, or judges, and all other persons having knowledge of the facts, are hereby required to supply, upon the forms provided or upon the original certificate, such information as they may possess regarding any birth or death or marriage upon demand of the State registrar, in person, by mail, or through the local registrar: *Provided*, That no certificate of birth or death or marriage, after its acceptance for registration by the local registrar, and no other record made in pursuance of this act, shall be altered or changed in any respect, except where supplemental information required for statistical purposes is furnished.

(a) Whenever it may be alleged that the facts are not correctly stated in any certificate of birth, death, or marriage, already registered, the local registrar shall require an affidavit under oath to be made by the person asserting the fact, setting forth the changes necessary to make the record correct, and supported by the affidavit of one other credible person having knowledge of the facts. Having received such affidavits, the local registrar shall file them together with an amended certificate and he shall note the fact of the amendment with its date on the margin of the otherwise unaltered original certificate. He shall transmit the original certificate with the affidavits and amended certificate attached when making his regular monthly returns to the State registrar. He shall also retain copies for his files. If the correction relates to a certificate previously returned to the State registrar the local registrar shall forthwith transmit the affidavits to the State registrar. If the correction is first made in the State bureau of vital statistics the State registrar shall transmit a certified copy of the amended certificate to the local registrar.

The State registrar shall further arrange, bind and permanently preserve the certificates in a systematic manner and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; said index to be arranged alphabetically, in the case of deaths, by the names of decedents, and in the case of births, by the names of fathers and maiden names of mothers, and in the case of marriages by the names of both grooms and brides. He shall inform all registrars what diseases are to be considered infectious, contagious, or communicable and dangerous to the public health, as decided by the State board of health, in order that when deaths occur from such diseases proper precautions may be taken to prevent their spread. If any cemetery company or association, or any church or historical society or association, or any other company, society or association, or any individual, is in possession of any record of births or deaths which may be of value in establishing the genealogy of any resident of this State, such company, society, association or individual, may file such record or a duly authenticated transcript thereof with the State registrar, and it shall be the duty of the State registrar to preserve such record or transcript and to make a record and index thereof in such form as to facilitate the finding of any information contained therein. Such record and index shall be open to inspection by the public, subject to such reasonable conditions as the State registrar may prescribe. If any person desires a transcript of any record filed in accordance herewith, the State registrar shall furnish the same upon application, together with a certificate that it is a true copy of such record as filed in his office.

SEC. 11. Section 21 of said act is hereby amended to read as follows:

SEC. 21. The State or local registrar shall forthwith upon request supply to any applicant a certified copy of the record of any birth or death or marriage registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant. And any such copy of the record of a birth or death or marriage when properly certified by the State or local registrar, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made the State registrar or local registrar shall be entitled to a fee of 50 cents for each hour or fractional hour of time of search, such fee to be paid by the applicant. The State registrar shall keep a true and correct account of all fees by him received under these provisions, and such money so received by the State registrar shall be deposited with the State treasurer, who shall credit the amount to the fund provided and to be used for the payment of the traveling and contingent expenses of the State board of health, and the money so collected by the local registrar shall be paid by him into the county or city treasury, as the case may be: *Provided*, That the local registrar shall, upon request of any parent or guardian, supply, without fee, a certificate limited to a statement as to the date of birth of any child when the same shall be necessary for admission to school, or for the purpose of securing employment: *And provided further*, That the United States Census Bureau may obtain, without expense to the State, transcripts of births and deaths without payment of the fees herein prescribed.

(b) If, upon such search it shall develop that for any cause any birth or death, or marriage, occurring in this State was not registered in conformity with the provisions of law in effect at the time when such birth or death or marriage occurred by the filing of the certificate therefor with the local registrar within a period of 1 year from the date of the event, any person beneficially interested in establishing of record the fact of such birth or death or marriage may petition the superior court of the county in which such birth or death or marriage is alleged to have occurred for an order judicially establishing the fact of such birth or death or marriage. Such petition shall be verified and shall contain all the data necessary to enable the court, upon hearing the same, to determine the fact of such birth or death or marriage upon the proofs adduced in behalf of the petitioner at the hearing thereof. A copy of such petition shall be served upon the local registrar of vital statistics, and also upon the district attorney of the county in which such birth or death or marriage is alleged to have occurred, and either of said officials shall have the right in his discretion to appear at such hearing and oppose the making of such order. Such hearing shall be had at such time as the court may appoint, not less than 10 days subsequent to the date of filing such petition, and notice thereof must be given by publication for the same time and in the same manner required by law to be given prior to the hearing of the petition for the admission to probate of any will, or the issuance of letters testamentary or of administration thereon.

If, upon such hearing, the proofs of the allegations of the petition are established, to the satisfaction of the court, the court may make an order determining that such birth, death or marriage did in fact occur in such county and at the time shown by the proofs adduced upon such hearing.

Such order must be made in the form and upon the blank prescribed and furnished by the State registrar and but one birth, death, or marriage may be included therein. And said order shall become effective upon the filing of a certified copy thereof with the local registrar of vital statistics, and the delivery therewith for transmittal to the State registrar of a standard certificate containing such facts and signatures as are obtainable, and upon the filing of a certified copy of said order with the State registrar.

SEC. 12. Section 23 of said act is hereby amended to read as follows:

SEC. 23. Under the supervision and direction of the State registrar, each local registrar is hereby charged with the strict and thorough enforcement of the provisions of this act in his registration district. He shall make an immediate report to the State registrar of any violation of this law coming to his knowledge, by observation or upon complaint of any person, or otherwise.

The State registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and is hereby granted supervisory power over local registrars, deputy local registrars, and subregistrars, to the end that all of its requirements shall be uniformly complied with. The State registrar, either personally or by an accredited representative, shall have authority to investigate cases of irregularity or violation of law. When the State board of health or its secretary shall deem it necessary, it or he shall report cases of violation of any of the provisions of this act to the prosecuting attorney of the county, with a statement of the facts and circumstances; and when any such case is reported to him by the State board of health or its secretary, the prosecuting attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law. And upon request of the State board of health or its secretary, the attorney general shall assist in the enforcement of the provisions of this act.

Hotels—Sanitary Regulation—Bedding—Ventilation—Individual Towels. (Ch. 228, Act May 11, 1917.)

SECTION 1. Every building or structure, kept as, used as, maintained as, or advertised as, or held out to the public to be, a place where sleeping or rooming accommodations are furnished to the public, or any part of the public, whether with or without meals, shall, for the purpose of this act, be deemed to be a hotel, and whenever the word "hotel" shall occur in this act, it shall be deemed to include lodging house and rooming house.

SEC. 2. All bedding, bedclothes, or bedcovering, including mattresses, quilts, blankets, sheets, pillows or comforters, used in any hotel in this State must be kept clean and free from all filth or dirt: *Provided*, That no bedding, bedclothes or bedcovering, including mattresses, quilts, blankets, sheets, pillows or comforters, shall be used which is worn out or unfit for use by human beings according to the true intent and meaning of this act.

SEC. 3. Any room in any hotel in this State which is or shall be infected with vermin or bedbugs or similar things, shall be thoroughly fumigated, disinfected and renovated until such vermin or bedbugs or other similar things are entirely exterminated.

SEC. 4. Every room in any hotel in this State used for sleeping purposes, must be kept free from any and every kind of dirt or filth of whatsoever nature, and the walls, floors, ceilings and doors of every such room shall be kept free from dirt.

SEC. 5. Every room in any hotel, used for sleeping purposes, shall have devices, such as a window or transom, so constructed as to allow for proper and a sufficient amount of ventilation in each such room.

SEC. 6. Every bed, for the accommodation of any person or persons or guests, kept or used in any hotel in this State, must be provided with a sufficient supply of clean bedding and must be provided with sheets at least 81 inches wide and 98 inches long: *Provided, however*, That on every single bed there shall be sheets at least 50 inches wide and 98 inches long. Every bed shall be supplied with clean sheets and pillow slips as often as assigned to a different person.

SEC. 7. Every hotel, within this State, having a public washstand or washbowl, where different persons gather to wash themselves, must keep a sufficient supply of

clean individual towels for the use of such persons within easy access of or to such persons and in plain sight and view.

SEC. 8. Every owner, manager, lessee or other person in charge of any hotel in this State who shall fail to comply with this act whether through the acts of his agents or employees, or otherwise, shall be guilty of a misdemeanor and upon conviction shall be fined not more than \$200 or shall be imprisoned for not more than three months; and every day that any hotel shall be kept in violation of any of the provisions of this act such keeping shall constitute a separate offense.

SEC. 9. It shall be the duty of the State board of health and local health officers to enforce the provisions of this act.

SEC. 10. Nothing in this act shall be construed to include cots or bunks where the same are used in places other than in hotels.

SEC. 11. An act⁶ of the legislature entitled "An act relating to hotels, defining the same, providing regulations in connection therewith, providing for the sanitation of the rooms of such hotels, providing for the sanitary method and manner of keeping, handling and using bedclothes or bedcovering in such hotels, repealing all acts or parts of acts in conflict with this act, providing for its enforcement by the State board of health, and providing a penalty for the violation of any of its provisions," approved April 26, 1915, is hereby repealed.

**Swimming Pools and Bathing Places—Supervision by State Board of Health—Permits for Construction and Operation—Nuisances Under Certain Conditions.
(Ch. 63, Act Apr. 6, 1917.)**

SECTION 1. The State board of health shall have supervision over the sanitation, healthfulness and cleanliness and safety of swimming pools, bathhouses, public swimming and bathing places and all related appurtenances and is hereby empowered to make and enforce such rules and regulations pertaining thereto as it shall deem proper.

SEC. 2. It shall be unlawful for any person, persons, firm, corporation, institution, or municipality in any district, town, city, county, or city and county, to construct or to add to or modify, or to operate or to continue to operate any swimming pool, public bathhouse, bathing or swimming place, or any structure intended to be used for swimming or bathing purposes without an unrevoked permit so to do from the State board of health. This permit shall be obtained in the following manner: Any person, persons, firm, corporation, institution, or municipality desiring to construct, add to or modify, or to operate and maintain any swimming pool, public bathhouse, bathing or swimming places, or structures intended to be used for swimming or bathing purposes within the State of California shall file application for permission so to do with the State board of health, which application shall be accompanied by detailed maps, drawings, specifications, and description of the structure, its appurtenances and operation, description of the source or sources of water supply, amount and quality of water available and intended to be used, method and manner of water purification, treatment, disinfection, heating, regulating and cleaning; life-saving apparatus, and measures to insure safety of bathers; measures to insure personal cleanliness of bathers; method and manner of washing, disinfecting, drying, and storing bathing apparel and towels, and all other information and statistics that may be required by the State board of health; whereupon, the State board of health shall cause an investigation to be made of the proposed or existing pool or public bathing places and if it shall determine as a fact that the same is or may reasonably be expected to become unclean or insanitary or may constitute a menace to public health, it shall deny the application for permit; if it shall determine as a fact that the same is or may reasonably be expected

⁶ Pub. Health Repts. Reprint 338, p. 65.

to be conducted continuously in a clean and sanitary manner and will not constitute a menace to public health, it shall grant the application for permit under such restrictions as it shall deem proper.

SEC. 3. For the purpose of this act the State board of health or its inspectors shall at any and all reasonable times have full power and authority to, and shall be permitted to enter upon any and all parts of the premises of such bathing and swimming places to make examination and investigation to determine the sanitary condition of such places and whether the provisions of this act or the rules and regulations of the State board of health pertaining thereto are being violated. The State board of health may from time to time at its discretion publish the reports of such inspections in its monthly bulletin.

SEC. 4. Any permit granted by the State board of health as provided in this act shall be revocable or subject to suspension at any time by formal action of the State board of health if it shall determine as a fact that the swimming or bathing place or places are being conducted in a manner insanitary, unclean or dangerous to public health.

SEC. 5. Any swimming pool, public swimming or bathing place or places, constructed, operated or maintained contrary to the provisions of this act are hereby declared to be public nuisances, dangerous to health. Such nuisances may be abated or enjoined in an action brought by the local or State board of health or they may be summarily abated in the manner provided by law for the summary abatement of public nuisances dangerous to health.

SEC. 6. Any person, firm or corporation, whether as principal or agent, employer or employee, who violates any of the provisions of this act shall be guilty of a misdemeanor, and each day that conditions or actions, in violation of this act, shall continue, shall be deemed to be a separate and distinct offense, and for each offense, upon conviction, he shall be punishable by a fine of not less than \$25 nor more than \$500, or shall be imprisoned in the county jail for a term not exceeding six months, or by both such fine and imprisonment.

Nurses—Examination and Registration—False Representations and Impersonations Prohibited—Collection, Investment, and Disbursement of Funds. (Ch. 51, Act Apr. 5, 1917.)

SECTION 1. There is hereby added to the act⁷ entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State board of health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice [practitioners] of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of [by] the board of regents of the University of California, and to provide penalties for violation thereof [hereof],' approved June 12, 1913, as amended May 19, 1915," a new section to be numbered 4½ and to read as follows:

SEC. 4½. Any person who shall wilfully make any false representation or who shall impersonate any other person or permit or aid in any manner any person to impersonate him in connection with any examination or application for examination or registration or request to be examined or registered, such person shall be guilty of a misdemeanor.

SEC. 2. Section 11 of said act approved June 12, 1913, is hereby amended to read as follows:

⁷ Pub. Health Repts. Reprint 264, p. 83; Reprint 338, p. 38.

SEC. 11. Within 10 days after the beginning of each month the secretary of the State board of health shall report to the controller the amount and source of all collections made under the provisions of this act, and at the same time all such amounts shall be paid into the State treasury and shall be placed to the credit of the special fund to be known as the fund for examination and registration of nurses: *Provided*, That whenever and as often as there is in the State treasury to the credit of the fund for the examination and registration of nurses, funds in excess of \$10,000 the same may be invested by the State board of control in the same manner that the funds of the State school land fund are invested and the interest upon such investment when collected shall be placed to the credit of the fund for the examination and registration of nurses. All amounts paid into this fund shall be held subject to the order of the State board of health, to be used only for the purpose of meeting necessary expenses in the performance of the purposes of and the duties imposed by this act. Claims against the fund shall be audited by the State board of health and by the board of control and shall be paid by the State treasurer upon warrants drawn by the State controller.

Plumbers—Examination, Certification, and Registration. (Ch. 65, Act Apr. 6, 1917.)

SECTION 1. Certain terms as used in this act shall be construed as follows:

(a) The terms "master plumber" means one who has an established place of business and works by contract.

(b) The term "journeyman plumber" means one who, as an employee, personally installs plumbing work, but does not mean a helper or an apprentice working under the direct personal supervision of a plumber who holds a temporary permit or a certificate of competency issued pursuant to the provisions of this act.

SEC. 2. It shall be unlawful for any journeyman plumber or master plumber in any city or town maintaining a public sewer system to personally install any plumbing or drainage system or portion thereof unless he shall first obtain a temporary permit or a certificate of competency issued pursuant to and as provided for in this act.

SEC. 3. In each county in which there is a city or town having a sewer system, the State board of health shall appoint an examining board of three members, one of whom must be a journeyman plumber who has had at least 5 years' practical experience as a plumber in this State, one a master plumber who has engaged in the plumbing business as a master plumber for at least 5 years in this State, and one a regularly licensed and practicing physician of this State. They shall serve for 12, 18, and 24 months, respectively, or until their successors are duly appointed and qualified, and each member shall receive as compensation 50 cents for each applicant examined, such compensation to be paid out of the funds of the State board of health semiannually. Within 10 days after their appointment the board shall meet and choose one of its members to act as secretary of the board. The State board of health shall provide each examining board with the necessary application forms, registration books, temporary permits, certification blanks, and all tools, materials, and office or shop room in which to properly conduct the examinations. Applications for examination may be made in writing. The State board of health shall adopt such rules and regulations as may be necessary and advisable to carry out the purposes of this act.

SEC. 4. Application for certification shall be made to the secretary of the examining board. The fee for filing the application shall be \$2.50 and shall be paid to the secretary of the examining board and by him to the State board of health to the credit of the contingent fund thereof. In no case shall the filing fee be returned to the applicant. The examining board shall issue to the applicant a temporary permit which shall be valid only until the examination is held and the certificate granted or denied. The examination shall consist of an oral or written examination and practical test and shall be of sufficient strictness to properly test the qualifications of the applicant as

to his knowledge of plumbing, house draining and ventilation. If the applicant shows by a proper examination that he is qualified the board shall issue to him a certificate of competency which shall thereafter be renewed every 12 months without the necessity of an examination, upon the payment of an annual fee of \$2. Any person possessing such a certificate of competency to work in a particular county shall be entitled to work at the plumbing business in any other county in this State upon registering with the examining board thereof. Such registration shall be without cost and without examination.

SEC. 5. Said board may make such rules and regulations as may be necessary to effectively carry out the provisions of this act and may at any time revoke a certificate granted by it for the violation of any such rules or regulations or of a municipal building, plumbing or sanitary ordinance.

SEC. 6. Nothing in this act contained shall be deemed to repeal or in any manner supersede the authority conferred upon the board of health, department of public health, or health officer, by the charter of any incorporated city or city and county, or the power, under such charter, to enact ordinances providing for the conduct of any of the matters and things embraced within the terms of this act.

SEC. 7. Any person violating any provisions of this act shall be guilty of a misdemeanor as defined in section 19 of the Penal Code.

Dead Bodies—Disinterment. (Ch. 37, Act Apr. 5, 1917.)

SECTION 1. Section 2 of the act entitled "An act to protect public health from infection caused by exhumation and removal of the remains of deceased persons," approved April 1, 1878, is hereby amended to read as follows:

SEC. 2. Permits to disinter or exhume the bodies or remains of deceased persons, as in the last section, may be granted: *Provided*, The person applying therefor shall produce a certificate from the coroner, registrar, the physician who attended such deceased person, or other physician in good standing cognizant of the facts, which certificate shall state the cause of death or disease of which the person died, and also the age and sex of such deceased: *And provided further*, That the body or remains of deceased shall be inclosed in a metallic case or coffin, sealed in such manner as to prevent, as far as practicable, any noxious or offensive odor or effluvia escaping therefrom, and that such case or coffin contains the body or remains of but one person, except where the infant children of the same parent or parents, or parent and children are contained in such case or coffin. And the permit shall contain the above conditions and the words "Permit to remove and transport the body of —, age —, sex —," and the name, age, and sex shall be written therein.

Laundry Sacks—Washing. (Res. Bd. of H., June 2, 1917.)

Resolved, That sacks which have been used for the collection of soiled laundry shall not be used for the delivery of clean laundry unless such sacks have been thoroughly washed before the clean clothes have been placed therein.

Social Insurance—Investigation by Commission. (Ch. 312, Act May 14, 1917.)

SECTION 1. The governor of the State of California is hereby authorized and requested to appoint a commission of 7 persons, citizens of this State, to investigate and advise the legislature concerning the adoption of a system of social insurance. The commission shall report to the forty-third session of the legislature the details of any or all branches of a social insurance system it may deem advisable, and may recommend for adoption any measure or measures it deems expedient.

SEC. 2. The commission shall have power to subpoena witnesses and to enforce their attendance at any public hearings that may be held for the purpose of obtaining

evidence of conditions bearing upon the establishment of any system of social insurance.

SEC. 3. It shall be the duty of every person, firm, or corporation employing labor in this State to supply the commission, at its request, with any and all information from the books, reports, contracts, pay rolls, documents or papers of such person, firm or corporation which the commission may require to carry out the purposes of this act.

SEC. 4. The members of the commission shall serve without pay but shall be reimbursed for traveling expenses incurred in connection with the work of the commission. The commission shall have power to employ an executive secretary and expert, clerical and other assistants.

SEC. 5. There is hereby appropriated out of the general fund, not otherwise appropriated, the sum of \$22,500, or any portion thereof, as may in the judgment of the commission be required for the purposes of this act. The sum of \$500 of said money may be drawn from the State treasury upon approval of the State board of control without the submission of receipts, vouchers or itemized statements to be used by the commission as a cash revolving fund to facilitate its work.

Wiping Rags—Must Not be Washed by Machinery Used for Washing Clothing.
(Ch. 766, Act June 1, 1917.)

SECTION 1. Section 3 of an act * * * approved April 30, 1913, is hereby amended to read as follows:

SEC. 3. Any person or corporation who shall wash, cleanse or launder soiled rags or soiled cloth material for wiping rags by the same machinery or appliances by which clothing and articles for personal wear or household use are laundered, shall be guilty of a misdemeanor.

Factories—State and Local Health Authorities to be Notified of Existence of New Factories. (Ch. 177, Act May 5, 1917.)

[Section 1 of chapter 255 of the acts of 1913 has been amended by the addition of the following:]

Whenever the commissioner of labor shall have been notified or otherwise becomes aware of the existence of a new factory, or factories, he shall forward a notification of said fact on or before the tenth day of each month to the State board of health and to the board of health or the health officer of the city and county wherein said factory or factories may be located.

Canneries—Floors—Toilets—Sanitary Napkins—Drinking Water—Common Drinking Cups Prohibited—Dressing Rooms—Time for Meals. (Orders Industrial Welfare Commission, Apr. 16, 1917.)

[The orders of the industrial welfare commission pertaining to the sanitary regulation of canneries adopted Feb. 14, 1916, have been amended and changed to read as follows:]

(3) Each workroom shall have an impermeable floor, made of cement or tile laid in cement, brick, wood, or other suitable nonabsorbent material which can be flushed and washed clean with water. Floors must be tight and hard and in good repair, and be pitched to provide for drainage so that there will be no unreasonable depth of water. All excess of water or overflow must be immediately removed. Where floors are wet and women are required by their work to walk over or stand upon them, wooden racks or gratings of an adequate height shall be provided at such points. Wherever the floor at the working point is of cement, tile, brick, or similar material, suitable wooden racks or gratings shall be provided for the women to stand upon.

* * * * *

(7) The floors of every toilet room hereafter installed, and the side walls to a height of not less than 6 inches, shall be constructed with sanitary base and of material, other than wood, which is impervious to moisture and which has a smooth surface. This material shall be marble, asphalt, Portland cement, with admixture of approved waterproofing material, tile, glazed brick, or other approved waterproof material. The angle formed by the floor and the base shall be coved. Wooden floors will be permitted in existing installations if kept well painted with a nonabsorbent paint.

(8) All walls of toilet rooms and water-closet compartments, unless constructed of marble, cement-plaster, tile, glazed brick, or other glazed material, or concrete with admixture of waterproofing material, shall be kept covered with a nonabsorbent light-colored paint, or other impervious compound.

(9) Every water-closet shall be in a separate compartment, which must not be less

* * * * *

than 27 inches wide and provided with a door. The door shall, if possible, be arranged to open outward only, and in any position of the door there shall be at least 18 inches clearance between the front edge and any part of the door.

(12) Every water-closet shall have a bowl of vitreous china, or of other approved material. Every such bowl shall be provided with adequate facilities for flushing and shall be set entirely free from inclosing woodwork and so installed that the space around it can be easily cleaned.

(13) The bowls of water-closets shall be provided with seats of wood or other nonheat-absorbing material and shall be coated with varnish or some other waterproof substance and shall not be provided with a cover.

* * * * *

(15) Sanitary napkins shall be readily obtainable at a reasonable price, and a metal receptacle with a hinged cover in which napkins may be deposited shall be provided in each toilet room.

(16) All toilet rooms and lavatories shall be kept clean and the floors shall be washed and scrubbed daily. The bowls and seats of water-closets and all wash basins, bowls, and sinks shall be scrubbed at least once a day.

(17) Each place of employment shall be equipped with sufficient pure drinking water, and the faucets shall be placed so that they are convenient to the employees. Common drinking cups are prohibited. Individual cups must be used or sanitary drinking fountains of an approved design must be installed. Drinking fountains shall be kept in a sanitary condition and shall be of such design that it is impossible to place the lips in contact with the orifice from which the jet or [of] water issues, or for the supply orifice to become submerged by the waste water. The water supply of drinking fountains shall be so regulated and maintained that a jet of at least 2 inches in height shall be constantly available.

(18) There shall be adequate washing facilities provided as hereinafter specified. A sufficient number of washbowls or sink space shall be located either within the toilet room or adjacent to the toilet room and in the direct route between the toilet rooms and the work place. Any wash sinks or bowls not so located shall be installed in an approved location.

(19) At least 20 lineal inches of sink space with one water supplied faucet shall be supplied for each 20 women employed, or majority fraction thereof, based on the maximum number of women employed at one time, except that one washbowl shall be considered the equivalent of 20 inches of sink space. Every washbowl or sink shall be of vitreous china, enameled iron, or other approved material impervious to water, and if used on one side only shall be not less than 12 inches wide inside measurement, or if used on both sides, not less than 22 inches inside measurement. Self-closing faucets shall not be used except where wash basins or bowls are provided. Sufficient soap and individual or paper towels shall be supplied. Common towels will not be permitted.

(20) A suitable room shall be provided where women may change their clothing in privacy and comfort. A sufficient number of approved lockers shall be provided, and if general access to the lockers is permitted they must be fitted with individual locks and keys, or such other provision as will insure the safety of the womens' belongings.

There shall also be provided at least one couch, bed, or cot; where more than 40 and less than 100 women are employed, two shall be provided, and thereafter, at least one for every additional 250 women employed.

There shall also be one stretcher for use in case of accident or illness, except that where one of the above required couches, beds or cots is a cot of a type suitable for use as a stretcher, a separate stretcher need not be provided. Where these couches, beds, or cots are not placed in a separate room they shall be placed in the locker or dressing room and protected from direct observation by a suitable screen, and the first aid kit shall be kept adjacent to them.

(21) Every woman and minor shall be entitled to at least one hour for noonday meal: *Provided, however,* That no woman or minor shall be permitted to return to work in less than one-half hour.

If work is to be continued through the evening, every woman and minor shall be entitled to at least one hour for the evening meal.

COLORADO.

Habit-Forming Drugs—Sale and Dispensing. (Ch. 66, Act Apr. 17, 1917.)

SECTION 1. Section 1 of an act¹ entitled "An act to regulate the sale, barter, exchange, distribution, dealing in, giving away, dispensing, or the disposition in any manner of opium or coca leaves, their salts, derivatives or preparation, to regulate the treatment and to provide for the committal of the habitual users of such drugs, and for other purposes," approved April 9, 1915 (Session Laws 1915, p. 208), is hereby amended to read:

"SECTION 1. That it shall be unlawful for any person to sell, barter, exchange, distribute, give away or in any manner dispose of, at retail or to a consumer, opium, coca leaves, cannabis indica, chloral hydrate or any compound, manufacture, salt, derivative, or preparation thereof, within this State, except upon the original written prescription of a duly licensed physician, and pursuant to all the requirements of this act."

SEC. 2. Section 2 of an act entitled "An act to regulate the sale, barter, exchange, distribution, dealing in, giving away, dispensing, or the disposition in any manner of opium or coca leaves, their salts, derivatives or preparations, to regulate the treatment and to provide for the committal of the habitual users of such drugs, and for other purposes," approved April 9, 1915 (Session Laws 1915, p. 208), is hereby amended to read:

"SEC. 2. That the provisions of this act shall not be construed to apply to the sale, barter, exchange, distribution, giving away, dispensing or the disposition in any manner, or the possession, within this State, of preparations and remedies which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or more than one-half grain solid extract or its equivalent of cannabis indica, or more than 5 grains of chloral hydrate, or any salt or derivative of any of them in 1 fluid ounce; or, if a solid or semisolid preparation, in 1 avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments and other preparations, which contain cocaine or any of its salts, or alpha or beta eucaine, or any of their salts, or any synthetic substitute for them: *Provided*, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentment and provisions of this act. The provisions of this act shall not apply to decocainized coca leaves or preparations made therefrom; or to other preparations of coca leaves which do not contain cocaine."

SEC. 3. The general assembly hereby finds, determines and declares that this act and each and every sentence, phrase, clause, section and subsection thereof is necessary for the immediate preservation of the public peace, health, and safety.

Cannabis Sativa—Use or Cultivation Unlawful. (Ch. 39, Act Mar. 30, 1917.)

SECTION 1. Any person who shall grow or use cannabis sativa (also known as cannabis indica, Indian hemp and mariguana) that he has grown shall be deemed guilty of a misdemeanor and on conviction shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment in the county jail not more than 30 days, or by both such fine and imprisonment in the discretion of the court.

¹ Pub. Health Repts., Reprint 338, p. 101.

Plumbing—Inspection and Regulation—Examination and Licensing of Plumbers.
(Ch. 107, Act Apr. 20, 1917.)

SECTION 1. The State board of health, in pursuance of its general power of supervision over the interests of the health and life of the citizens of this State, and of the sanitary conditions under which they live, is hereby authorized and empowered to make, prescribe, enforce, amend and repeal rules and regulations governing the plumbing, drainage, sewerage, and plumbing ventilation of all buildings in this State, and thereby to establish and maintain minimum standards, which shall be uniform throughout the State, which rules and regulations shall have the force and effect of law, when not in conflict with the statutes of the State of Colorado: *Provided, however,* That this act shall not be construed to deny any municipality the right to adopt and enforce such rules and regulations in the premises, as are not inconsistent with the laws of the State.

SEC. 2. The State board of health is hereby authorized and empowered to employ, promote, and discharge such assistants and employees, as it may deem necessary to properly carry out the intent and purpose of this act, and to fix and pay their compensation and salaries and to provide for their duties and the terms of their employment: *Provided, however,* That the governor of the State of Colorado, shall appoint with power of removal one chief plumbing inspector and such deputy plumbing inspectors as the said board of health may deem necessary, each of whom shall be qualified from practical experience as a plumber, to make such inspections as may be necessary under this act, or as shall be provided for by the rules and regulations of the State board of health, and who shall hold office for the term of two years from the date of his appointment and until his successor has been appointed and qualified. The chief plumbing inspector shall receive a salary of \$2,400 per annum, payable in monthly installments of \$200 per month. The said deputy plumbing inspectors shall receive such salary, not exceeding the sum of \$1,500 per annum, as the State board of health in its rules and regulations may provide. The said inspectors and each of them shall be employees of the State board of health and subject to its rules and regulations. Each plumbing inspector shall be reimbursed for his actual traveling expenses by the State board of health. All compensation and salaries thus authorized and contracted for, and all expenses incurred by the State board of health in the operation of this act shall be provided for and paid out of the general fund of the State treasury and charged against the appropriation account of the State board of health set aside for the enforcement of this act.

SEC. 3. The State board of health is hereby authorized and empowered to grant and issue licenses and permits to persons desiring or intending to engage in the trade, business, or calling of journeyman plumber or master plumber, in the manner and upon the terms and conditions hereinafter provided.

SEC. 4. The State board of health is hereby authorized, empowered and directed to prescribe, amend, and enforce rules and regulations consistent with this act for the examination and licensing of journeyman plumbers and master plumbers, and said board shall for this purpose within 60 days after this act becomes a law, appoint, with the power of removal, three plumbing examiners, of which one shall be a journeyman plumber, one a master plumber, one a member or employee of the State board of health to be known as "The Examining Board of Plumbers" whose duties shall be to examine, as to their fitness and qualifications, all persons applying to the State board of health for licenses to engage in the business, trade, or calling of a journeyman plumber or a master plumber, and to promptly certify the result thereof to the said State board of health.

SEC. 5. Each member of said board of examiners, except a paid officer, member or employee of the State board of health, shall receive a compensation of \$10 per day and expenses for each day in which such member is actually engaged in attendance upon

the meetings of the board, to be audited and paid out of the general fund of the State treasury and charged against the appropriation account of the State board of health, set aside for carrying into effect the provisions of this act.

SEC. 6. The State board of health may, if it deems it necessary so to do, authorize and empower one member only of said examining board of plumbers to hold and conduct a certain specific examination, and report the result thereof as herein provided for.

SEC. 7. The State board of health shall issue licenses to such persons as have by said examination shown themselves fit, competent, and qualified to engage in the business, trade or calling of a journeyman plumber or master plumber, as the case may be.

SEC. 8. The State board of health shall have power to revoke any journeyman or master plumber's license if the same was obtained through error or fraud, or if the recipient thereof is shown to be grossly incompetent or has a second time wilfully violated any of the rules or regulations prescribed by said board: *Provided*, That before any license shall be revoked, the holder thereof shall have written notice enumerating the charges against him, and shall be given a hearing by said board, and have an opportunity to produce testimony in his behalf, at a time and place specified in said notice, which time shall be not less than five days after the service thereof. The State board of health shall have power to appoint, by an order in writing, its secretary or any competent person to take testimony, who shall have power to administer oaths, issue subpoenas and compel the attendance of witnesses, and the decision of the State board of health shall be based upon its examination of the testimony taken and the records produced. Any person whose license has been revoked may, after the expiration of one year from the date of such revocation, but not before, apply for a new license.

SEC. 9. No person shall hereafter engage in or work at the business, trade, or calling of a journeyman plumber or of a master plumber in this State, until he shall have received from the State board of health a license either as a journeyman plumber or as a master plumber, as the case may be.

SEC. 10. Any person, firm or corporation desiring to engage in or work at the business of installing plumbing, or who shall install plumbing in connection with the dealing in or selling of plumbing material and supplies, shall be required to have a master plumber in charge at all times, who shall be responsible for the proper installation of all such plumbing: *Provided*, That any person, firm, or corporation selling or dealing in plumbing materials or supplies, but not engaged in the installation, alteration, repairing or removal of plumbing, shall not be required to employ or have a licensed master plumber in charge, as in this section provided.

SEC. 11. All journeyman plumbers and master plumbers actually engaged in business as such at the time this act goes into effect may, within 60 days thereafter, procure a license as a journeyman plumber or master plumber, as the case may be, without examination, upon payment of the license fee herein required. All persons applying after the expiration of said 60 days for a license, shall be required to take the examination herein provided for, and satisfy the State board of health of their fitness and qualifications, except as herein otherwise provided.

SEC. 12. The State board of health may issue temporary permits to engage in the work of a master plumber or a journeyman plumber on payment of the fees prescribed in this act for licenses in such case, and such permits may be revoked by the State board of health at any time, and if thereafter, upon examination, a license is granted the fee paid for the permit shall apply on the license, which will run from the date of said permit. For the purpose of assisting in its work of issuing such temporary permits, the said board of health may appoint agents without compensation.

SEC. 13. Any person who has worked as an apprentice at the business, trade, or calling of plumbing for such a length of time as the State board of health may pre-

scribe in its rules and regulations, and who desires to take an examination to entitle him to a license as a journeyman plumber, may file his application for such examination with the State board of health, as herein provided, and said board may thereupon grant the applicant a permit to pursue said work in the capacity of a journeyman plumber until such time as the examining board shall have an opportunity to examine him.

SEC. 14. The said board of health may license without examination, upon the payment of the required fee, applicants who are duly licensed under the laws of other States having requirements for the licensing and regulating of plumbing, deemed by the said board of health to be equivalent to the requirements of this State in the matter.

SEC. 15. All licenses issued during any year, unless sooner revoked, shall expire on December 31 of that year.

SEC. 16. A master plumber's license shall entitle the owner thereof to all the rights and privileges of a journeyman plumber.

SEC. 17. A license once issued under this act may be renewed at any time during the month of January in the year following its issuance on the payment of the renewal fee herein specified, and such a license may be renewed at any time during the month of February in the year following its issuance by the payment of the revival fee herein specified.

SEC. 18. The following shall be the fees charged in this act by the State board of health, to-wit:

Master plumber's license or permit.....	\$10
Renewal of master plumber's license.....	5
Journeyman plumber's license or permit.....	2
Renewal of journeyman plumber's license.....	1
Revival license fee, journeyman plumber.....	2
Revival license fee, master plumber.....	10
Examination fee for journeyman plumber.....	1
Examination fee for master plumber.....	5

SEC. 19. All moneys received by the State board of health under the terms and provisions of this act shall be paid within one week of their receipt into the general fund of the State treasury, and all such moneys are hereby set aside and appropriated to the State board of health, to carry into effect the provisions of this act.

SEC. 20. The board of health in each city of the first class of this State shall appoint, with the power of removal, one or more inspectors of plumbing, who shall be practical plumbers, duly licensed under this act, who shall not have been engaged in the occupation of a master plumber, for at least three months prior to their appointment. The compensation of such inspectors shall be determined by the board appointing them and shall be paid from the city or town treasury; they shall inspect all plumbing work in the city for which appointed, whether such work shall be new or consist of alterations and repairs, and shall report to the board appointing them all violations of any law, ordinance, by-law, or the rules and regulations of the State board of health, relating to such work, and shall perform such other appropriate duties as may be required.

SEC. 21. Each city of the first class shall, and any city or town of this State may, by ordinance or by-law, prescribe rules and regulations for the materials, construction, alteration, and inspection of all pipes, faucets, tanks, valves, and other fixtures by and through which supply or waste water or sewerage is used or carried, and provide that they shall not be placed in any building therein except in accordance with plans which shall be approved by the board of public works, where such board exists, or the board of health of such city or town, or such person or persons as either of said

boards may designate; and shall further provide that no plumbing shall be done, except in case of repairing of leaks, without a permit being first issued therefor upon such terms and conditions as such city or town shall prescribe: *Provided*, That no such ordinance, by-law, rule, or regulation prescribed by any such city or town shall be inconsistent with this act or any rule or regulation adopted or prescribed by the State board of health.

SEC. 22. For the purpose of this act the words and phrases used in this act and this section set forth, are defined to have the following meaning, to-wit:

A "journeyman plumber" is hereby defined to be any person other than a master plumber, who as his principal occupation is engaged in the practical installation, alteration, repair, and removal of plumbing.

A "master plumber" is hereby defined to be any person skilled in the planning, superintending, and the practical installation of plumbing and is familiar with the laws, rules, and regulations governing the same.

A "plumber's apprentice" is hereby defined to be any person other than a journeyman or master plumber, who as his principal occupation is engaged in learning and assisting in the installation of plumbing and drainage.

[No section 23 in the act.]

SEC. 24. Any person who shall engage in the trade, business, or calling of a master plumber or of a journeyman plumber, without a permit or a license, as provided for by this act, or who shall violate any of the provisions of this act, or the rules and regulations of the State board of health herein provided for, or who shall refuse to perform any duty lawfully enjoined upon him by the State board of health, within the prescribed time, or who shall fail, neglect, or refuse to obey any lawful order given or made by the State board of health, or a decree or judgment of court in the matter, shall be guilty of a misdemeanor and shall be subject to a fine of not less than \$10 or more than \$50, or to imprisonment in the county jail not exceeding 30 days, for each and every violation thereof. Each day of such violation shall constitute a separate offense. The justices of the peace in the several counties of the State are hereby given jurisdiction in the premises.

SEC. 25. Sections numbered 4919, 4920, 4921, 4922, 4923, 4924, 4925, 4926, 4927, 4928, 4929 and 4930 of the Revised Statutes of Colorado for the year 1908 are hereby repealed.

CONNECTICUT.

Venereal Diseases—Investigation of, in State Institutions by Commission. (Ch. 150, Act Apr. 17, 1917.)

SECTION 1. The governor is authorized to appoint a commission, consisting of not more than five persons, at least three of whom shall be physicians, to investigate the laws, conditions and customs of this State pertaining to the method of diagnosis, treatment and management of persons afflicted with venereal diseases who are confined, committed or detained in State and county institutions, or institutions receiving State aid, and to make such other investigations as the governor shall direct.

SEC. 2. Said commission shall report its findings and recommendations to the next session of the general assembly, and shall serve without pay except that its necessary expenses, not to exceed \$500, shall be paid out of the State treasury upon the order of the comptroller.

Tuberculosis—Private Sanatoriums—Inspection—State Aid. (Ch. 294, Act May 19, 1917.)

Section 11 of chapter 183 of the public acts of 1913 is amended to read as follows:

Sanatoria under private management and receiving State aid shall be inspected semiannually by the commission, but the association owning and conducting any such sanatorium shall maintain the same in good condition and shall assume all responsibility for the executive work thereof. Such State aid shall not exceed the sum of \$4 per week for each patient while actually receiving treatment at any such sanatorium.

State Department of Health—Organization—Commissioner of Health—Public Health Council—Sanitary Code—Sanitary Districts. (Ch. 391, Act May 16, 1917.)

SECTION 1. A department of health is created which shall have the authority and perform the duties conferred upon the State board of health. Such department shall consist of a commissioner of health and a public health council, with such directors of bureaus and officials as are hereinafter provided.

SEC. 2. On or before July 1, 1917, the governor shall appoint a commissioner of health who shall be the administrative head of the department and chairman of the public health council. Such commissioner shall be a physician, graduated by an incorporated medical college recognized by one of the medical examining boards of this State, of at least 5 years' experience in actual practice of his profession, skilled in sanitary science and experienced in public health administration. The term of office of the commissioner of health shall be 6 years from the first day of July following his appointment. He shall not engage in any other occupation, and shall be paid a salary of \$4,000 per annum and the expenses incurred in the performance of his duties.

SEC. 3. On or before July 1, 1917, the governor shall appoint six members of the public health council, at least two of whom shall be physicians, and two sanitary engineers. Two members of such council shall hold office from their appointment until the first day of July, 1919, two until the first day of July, 1921, and two until the first day of July, 1923. The term of office of each member appointed in 1919 and biennially thereafter shall be six years from the first day of July following such appointment. The governor shall fill any vacancy. Members of the public health council shall be paid their actual and necessary expenses incurred in the performance of official duties.

SEC. 4. Said council shall meet at least once in three months, and at such other times as it shall determine, or upon request of any four members or of the commissioner of health. Four members of the council, including the commissioner of health, shall constitute a quorum.

SEC. 5. Said council shall establish a sanitary code, and from time to time amend the same. The sanitary code may provide for the preservation and improvement of the public health. Each regulation adopted by said council shall state the date on which it takes effect, and a copy thereof, signed by the commissioner of health, shall be filed in the office of the secretary of the state, and a copy shall be sent by the commissioner of health to each health officer, and shall be published in such manner as said council may determine. Said council shall have authority to prescribe the qualifications of the directors of bureaus and all other appointees, and shall submit biennially to the governor, a report with such recommendations as it may deem advisable.

SEC. 6. The commissioner of health shall employ the most efficient and practical means for the prevention and suppression of disease, and shall administer the health laws and the sanitary code, prepare rules and regulations for the council and, with the approval of the council, appoint and remove directors of bureaus, deputies, inspectors and other employees. He shall have authority over health officials, and may, for cause and with the consent of the council, remove any local health officials; but any person claiming to be aggrieved by such removal may appeal to the superior court which may affirm or reverse the action of the council as the public interest may require; he shall assist and advise local health officers in the performance of their duties, and may require the enforcement of any law, regulation, or ordinance relating to public health, and, with the health authorities of this and other States, secure information and data concerning the prevention and control of epidemics and conditions affecting or endangering the public health, and he shall compile such information and statistics and shall disseminate, among health authorities and the people of the State, such information as may be of value to them. He shall prepare printed forms for reports and returns, and such instructions as may be necessary for the use of health officers, boards of health, and registrars. When requested by local health officers, he shall visit their jurisdictions to investigate, consult, and advise on any condition affecting public health; make, at least once each year, an inspection of all public hospitals, asylums, prisons, schools, and other institutions and submit a report of his investigations to the council, with such recommendations as he may deem proper. The commissioner of health shall investigate complaints of nuisances and conditions affecting the security of life and health in any locality, and for that purpose, he or any person authorized by him so to do, may enter and examine any ground, vehicle, apartment, building or place, and any person designated by him shall have the authority conferred by law upon constables. Said commissioner may, subject to the approval of the board of control, employ such clerical and other assistance and purchase such supplies and materials for use in said department as may be necessary for the proper discharge of the duties of his office.

SEC. 7. Said department shall maintain bureaus of vital statistics, preventable diseases, laboratories, and sanitary engineering. Within the discretion of said commissioner he may appoint a director of each of said bureaus to direct the work, under the control and direction of said commissioner; any director so appointed shall receive such compensation as may be fixed by said council, subject to the approval of the board of control.

SEC. 8. Cities, boroughs, or towns may consolidate for the purpose of forming sanitary districts. Such consolidation shall be accomplished in the same manner as consolidations of fire districts, and the appointment of a health officer therein shall be by agreement between the selectmen or the city and borough officials of the municipality voting to consolidate. If such health officers shall not be selected within 60

days from the consolidation of such district, the health officer shall be appointed by the public health council. Upon the appointment of a health officer under the provisions of this section, the terms of office of the health officers of the towns, cities or boroughs forming such consolidation shall terminate.

SEC. 9. Any local health officer, board of health or official charged with the enforcement of the health laws shall enforce or assist in the enforcement of the sanitary code and such rules and regulations as may be adopted by the council. Towns, cities, and boroughs may retain the power to adopt sanitary rules and regulations heretofore granted by statute, but no such rule or regulation hereafter adopted shall be inconsistent with the sanitary code as adopted by the public health council. In any emergency when the health of any locality shall be menaced, or when any local board of health or health officer shall fail to comply with the recommendations of the State department of health said department may enforce such quarantine regulations as may be required for the protection of the public health.

SEC. 10. The provisions of this act shall not be construed as affecting the authority of any health officer appointed pursuant to the provisions of any special act of the current session of the general assembly.

SEC. 11. County health officers shall prosecute for any violation of any provision of this act. Any person who shall violate any provision of this act, or of the sanitary code, shall be fined not more than \$100, or imprisoned not more than three months, or both.

Milk and Cream—Board to Regulate Production, Care, and Sale—Appeals to and From Board—Sale of Insanitary Dairy Products Prohibited. (Ch. 242, Act May 3, 1917.)

SECTION 1. The dairy and food commissioner, the attorney general, the secretary of the State board of health, the secretary of the State board of agriculture and the secretary of the Connecticut Dairymen's Association shall constitute a milk regulation board. Said board shall keep a record of its proceedings and may appoint officers and prescribe their duties. Said board shall have an office with the dairy and food commissioner.

SEC. 2. Said board, after public hearing, notice of which shall be given by publication in a newspaper published in each county at least two weeks before such hearing, may make, amend, repeal or suspend rules and regulations concerning the inspection of dairies, the production, care, handling, marketing or sale of milk or cream within the State, to protect the public from the use of milk or cream which is unsanitary or detrimental to public health. Such rules and regulations shall take effect 20 days after such publication.

SEC. 3. Any person claiming to be aggrieved by an order issued by any official authorized to prohibit the sale of milk or cream in any city, town, or borough may appeal from such order to the milk regulation board. Such appeal shall be taken by filing in the office of said board a copy of the order prohibiting such sale, with a brief statement of such grievance. Said board shall, within one week after the receipt of such appeal, ascertain the methods employed by the person taking such appeal in producing, handling or distributing milk or cream, and shall cause an inspection of all implements and equipment used in the production and handling of the same, the cows from which, and barn and premises where such milk or cream is produced or procured, and after such inspection shall forthwith affirm, modify or rescind such order, but the original order shall remain in force pending such appeal.

SEC. 4. Any person claiming to be aggrieved by any rule, regulation, or order made by said board, may appeal from the same to the superior court for the county wherein such person resides, if said court is in session, and if said court is not in session, such appeal may be taken to any judge of said court within 30 days after the publication

of such rule, regulation, or order. Such appeal shall be taken by a petition, in writing, with a citation signed by competent authority to said board and the same shall be served upon the attorney general at least 12 days before the next return day of said court and if to a judge of said court, the same shall be served 10 days before date of hearing thereon. Said petition shall contain a copy of the rule, regulation, or order appealed from, with a statement of the grievance of the party taking such appeal. Said court or judge, by itself or by a committee appointed by it, may hear such appeal de novo and may affirm, modify or rescind such rule, regulation, or order or any part thereof.

SEC. 5. No person shall engage in the production, care, marketing, or sale of milk or cream unless he shall have complied with the rules and regulations of said board and the provisions of this act.

SEC. 6. The dairy and food commissioner may employ agents and assistants to enforce the provisions of this act and the provisions of the rules and regulations of the milk regulation board and the orders of said commissioner as authorized by said board. If the dairy and food commissioner, his deputy or any agent or assistant, shall find that any provision of this act, or any provision of the rules and regulations of the milk regulation board, or any order authorized thereby, has been violated, said commissioner, his deputy, or any agent or assistant, shall cause prosecution for such violation.

SEC. 7. The dairy and food commissioner, or his deputy, shall prohibit the sale or distribution of any milk or other dairy product which is unsanitary or detrimental to health, and which has not been produced, cared for or handled in the manner prescribed by the provisions of this act, or the rules and regulations of said milk regulation board. Chapter 15¹ of the public acts of 1915 and section 16 of chapter 221 of the public acts of 1911 are repealed.

SEC. 8. No provision of this act shall affect the authority of any city, town, or borough to enact ordinances or by-laws for the control, regulation, sale or distribution, within its limits, of milk which is detrimental to public health.

SEC. 9. Any person who shall violate any provision of this act or any rule or regulation established by said board or any order of said commissioner duly authorized, shall be fined not more than \$100, or imprisoned not more than 30 days, or both.

Milk—Sale. (Ch. 39, Act Mar. 27, 1917.)

Section 2 of chapter 221 of the public acts of 1911 is amended to read as follows: No person shall, by himself, his servant or agent, sell or exchange, or offer for sale or exchange, or have in his possession with intent to sell or exchange, as of standard quality, any milk which is not of standard quality, or any milk diluted with water or adulterated by the addition of any foreign substance, or which has been wholly or in part skimmed, or shall knowingly deliver or offer for delivery milk that is tainted or partly sour to any customer buying the same for sweet milk.

Milk and Cream—Examination of Persons Testing. (Ch. 221, Act May 1, 1917.)

SECTION 1. The dairy and food commissioner shall make rules and regulations for the examination of persons who may engage in testing milk or cream to be sold to the public upon the basis of the butter fat content. He shall cause to be published in at least three newspapers in each county the time when and the place where such examinations are to be held. An examination fee of \$1 shall be charged to cover the expense of such examination.

SEC. 2. No person shall test any milk or cream for the purpose of determining its butter fat content, the result of which test is to serve as a basis of payment for such milk or cream, without having obtained such certificate. Any person violating any provision of this act or any person who shall have obtained a certificate by authority

¹ Pub. Health Repts. Reprint 338, p. 115.

of the provisions of this act and shall be guilty of practicing any fraud in the testing of any milk or cream shall be fined not more than \$50, or imprisoned not more than 60 days, or both.

Eggs—Marking. (Ch. 244, Act May 7, 1917.)

SECTION 1. Any person who shall sell or offer for sale any egg which has been preserved by any artificial process, or which has been kept in storage more than 15 days in any place where the temperature is reduced by means of chemicals or other agents, or which has been incubated for 24 hours or more, unless such egg shall be plainly stamped with indelible ink with the words "cold storage," "preserved" or "incubated" as the case may be, shall be fined not more than \$25.

SEC. 2. This act shall take effect April 1, 1918.

Oysters—Production and Preparation for Shipment—Supervision by State Board of Health. (Ch. 16, Act Mar. 27, 1917.)

The State board of health is authorized to inspect oyster beds and areas in this State where oysters are grown for market; all boats, tools, and appliances used in the production and preparation of oysters for market; and all wharves, oysterhouses, or buildings where oysters are opened, packed, and prepared for shipment. It may prescribe rules and regulations for the sanitary growth, production, and preparation of oysters for market; and said board may issue to any producer, dealer, or shipper of oysters a certificate stating that oysters produced or shipped by the holder thereof have been produced and prepared for shipment under sanitary conditions and in compliance with the rules and regulations of the State board of health. Any grower, dealer, or shipper of oysters to whom such certificate has been granted may attach a certified copy of the same to each package of oysters packed, shipped, or sold by him, and such grower, dealer, or shipper of oysters shall be entitled to hold such certificate as long as he shall comply with the rules, regulations, and requirements of said board. Any certificate granted under authority of this act may be revoked at the discretion of the State board of health.

Bakeries—Construction—Certificates of Inspection. (Ch. 195, Act Apr. 24, 1917.)

Chapter 147 of the public acts of 1909 as amended by chapter 59² of the public acts of 1913 is amended to read as follows: Every building or room occupied as a bakery shall be drained and plumbed in a manner conducive to its healthful and sanitary condition, and constructed with air shafts and windows or ventilating pipes sufficient to insure ventilation, as the commissioner of labor and factory inspection shall direct. Every bakery shall be provided with a wash room and water-closet apart from the bake room and any room where the manufacturing of food products is conducted, and one locker for each employee. No water-closet, earth closet, privy or ash pit shall be within or communicate directly with a bakery. Rooms used for the manufacture of flour and meal foods shall be at least 8 feet in height; the side walls of such rooms shall be plastered or wainscoted, the ceiling plastered or ceiled with lumber or metal, and, if required by the commissioner of labor and factory inspection, shall be white-washed at least once in three months; the furniture, utensils, and floor of such rooms shall be kept in sanitary condition. The manufactured flour or meal food products shall be kept in dry, clean, and airy rooms. The sleeping rooms for persons employed in a bakery shall be separate from the rooms where food products are manufactured or stored. No person, firm, or corporation shall operate a bakery without having obtained from the commissioner of labor and factory inspection a certificate of inspection describing the building used as a bakery and stating that the same complies with the laws of this State relating to bakeries, which certificate shall be kept posted by

²Pub. Health Repts. Reprint 264, p. 112.

the owner or operator of such bakery in a conspicuous place in the shop described in such certificate or in the salesroom connected therewith. Such certificate shall be valid for 1 year from the date of its issue, and a fee of \$1 shall be collected from the person to whom such certificate is issued. Such certificate may be revoked by said commissioner, for cause, and when revoked said commissioner shall cite the person operating such bakery, or, in the case of a corporation, the manager, to appear before him within 10 days thereafter to show cause why such certificate should not remain revoked. No person, firm or corporation shall open a new bakery without having given at least 10 days' notice to the commissioner of labor and factory inspection of his intention to open such bakery, which notice shall contain a description of the building proposed to be used as such bakery and shall give its location. Upon receipt of such notice said commissioner shall examine the premises, and if found to comply with the provisions of the statutes relating to bakeries he shall issue such certificates of inspection. The provisions of this act shall not prevent local health authorities from enforcing orders or regulations concerning the sanitary condition of bakeries.

Drinking Water and Soda Water—Bottling and Sale. (Ch. 280, Act May 14, 1917.)

SECTION 1. Section 1 of chapter 184³ of the public acts of 1915 is amended to read as follows: Any person engaged in the business of bottling drinking water shall apply to the State board of health for a license, stating the location of the spring or other source from which water is to be taken and sold and the location of the premises where such business is to be conducted. Said board shall cause an examination of the water to be made, and if it finds the same free from contamination and the premises where such bottling is to be done, in a sanitary condition, with the proper facilities for cleansing and sterilizing all bottles used, it may grant a license for 1 year to the person making such application, upon payment of a license fee of \$10. Such license may be renewed annually upon payment of a fee of \$5. Said board may revoke such license at any time, upon examination, when the water sold by such licensee is shown to be polluted, or the premises where such water is bottled, to be unsanitary.

SEC. 2. Any person engaged in the business of manufacturing and selling bottled soda water, ginger ale, or other beverages which are composed in part of raw or unboiled water shall, if such raw or unboiled water is not obtained from a public water supply which is under the supervision of the State board of health, comply with the provisions of section 1 of this act.

SEC. 3. The State board of health may forbid the sale of any bottled drinking water, soda water, ginger ale, or other beverages partly composed of raw or unboiled water which is procured or bottled outside of the State, if, in its judgment, said bottled goods are or may be prejudicial to public health.

SEC. 4. The State board of health shall have the right to seize and destroy any bottled waters or beverages composed wholly or in part of raw or unboiled water if such bottled goods are offered for sale in violation of any of the provisions of this act.

Births—Registration. (Ch. 199, Act Apr. 24, 1917.)

Section 1861 of the general statutes as amended by chapter 91 of the public acts of 1907 is amended to read as follows: Every physician or midwife who shall have professional charge of the mother at the birth of any child, and every attendant who may act as midwife at such time, when no physician is employed, shall, within 5 days after such birth, furnish the registrar of the town wherein such birth may have taken place a certificate, signed by such physician, midwife or attendant, and stating, from the best information obtainable, the name, if such child have a name, the place and date of birth, the sex, the name of the father, the maiden name of the mother, the age, color, residence and birthplace of each of the parents, the occupation of the father, the number of the child and the name and address of the medical attendant.

³ Pub. Health Repts. Reprint 338, p. 117.

Mosquito Breeding Places—Elimination. (Ch. 402, Act May 16, 1917.)

SECTION 1. Section 1 of chapter 264⁴ of the public acts of 1915 is amended to read as follows: The director of the Connecticut Agricultural Experiment Station may make rules and orders concerning the elimination of mosquitoes and mosquito breeding places, and he or his agent may enter upon any swamp, marsh or land to ascertain if mosquitos breed thereon or to survey, drain, fill or otherwise treat or make any excavation or structure necessary to eliminate mosquito breeding on such land.

SEC. 2. Section 2 of the public acts of 1915 is amended to read as follows: Whenever funds have been provided by the town, city or borough, in which any such swamp, marsh or land is located, or by voluntary contribution, sufficient to pay three-fourths of the cost, as estimated by said director, of work of eliminating mosquitoes or mosquito breeding on such swamp, marsh or land, and moneys appropriated by the State are available sufficient to pay one-fourth of said cost, or whenever funds have been provided from other sources than the State sufficient to pay all of said cost, said director may order the execution of said work upon notice as herein provided. At least 30 days before commencing such work, said director shall file a copy of such order, with a description of the place or area affected and a statement of the proposed plan thereof, in the town clerk's office in each town in which such place or area is located. Said director shall publish a copy of such order once each week for two successive weeks in some newspaper having a circulation in the town or towns in which such place or area is situated, and shall mail a copy of such notice, postage prepaid, by registered mail, addressed to each record owner of land whose name and address may be ascertained by a reasonable inquiry from the assessors of the town in which such land is situated. Said director may, and upon application of any person affected by such order or plan, within 30 days after such publication, shall, assess benefits received and damages sustained by the owner of any such land. Such assessment shall be filed by said director with the clerk of the superior court of the county within which the land affected is located, and said clerk shall give notice of such assessment to each such property owner, by mailing to him a copy of such assessment, postage prepaid. Any person claiming to be aggrieved because of such order or proposed plan or such assessment may, within 10 days after notice, apply to the superior court in the county in which such land is situated, or any judge thereof, for relief, and said court or such judge may, after notice to said director and parties applying for relief, and hearing thereon, make any proper order concerning such order or proposed plan, or make a reassessment of benefits and damages. Said court or judge may view the land claimed to be affected by such order or plan and may take any evidence in its opinion material.

The order, plan and assessment as hereinbefore provided for shall be conclusive upon all parties affected thereby, and the State treasurer shall pay to any such owner the damages assessed by said director or by said court or judge, as the case may be, upon certification of the amount by the clerk of said court. Benefits assessed as herein provided shall be collected by said treasurer and shall constitute a lien upon the land against which the same were assessed until the amount thereof has been paid with interest at the rate of 6 per centum per annum, which lien may be continued by filing in the office of the town clerk of the town where such land is situated a certificate thereof within 60 days after the assessment of the same, and such lien may be foreclosed or the benefits secured thereby collected in any other proper form of action. The town wherein such land is located shall reimburse the State for three-fourths of the damages assessed and paid as herein provided, and the State treasurer shall pay to any such town one-fourth of all benefits received. All amounts collected from towns under the provisions of this section may be expended for the purposes stated in said section.

The pendency of any application for the assessment of benefits and damages shall not prevent or delay the execution of the work for the elimination of mosquitoes or mosquito breeding. Upon the completion, to the satisfaction of said director, of any such work one-fourth of the cost of which is payable by the State as hereinbefore provided, said director shall certify to the comptroller, with proper vouchers, the amount of such costs, and the comptroller shall draw his order on the treasurer for such sum as, with any amounts advanced on account thereof as hereinafter provided, shall amount to one-fourth of the cost of such work.

SEC. 3. Section 3 of chapter 264 of the public acts of 1915 is amended to read as follows: Whenever any swamp, marsh, or other land has been drained to the approval of said director, he shall keep the same in repair and free from obstruction, and construct or repair tide gates or otherwise treat such areas so as to make such work effective. The cost of such maintenance of treatment, not exceeding in any year, \$1 per acre, shall be paid by the State, and the city, borough or town within which such place or area is located shall reimburse the State for three-fourths of the amount so expended for maintenance and treatment of such place or area. The provisions of this section shall apply to work executed prior to the passage of this act, provided such work shall be approved by the director. Said director shall certify to the comptroller the amount due from any city, borough or town under the provisions of this section, and the treasurer of such city, borough or town, as the case may be, shall pay to said comptroller the amount so due upon receipt of a bill therefor. All amounts so collected shall be available for expenditures under the provisions of this section.

SEC. 4. Said director may appoint one or more deputies to supervise the work done under the provisions of this act, who may exercise the authority granted to such director, and the expenses of said director and said deputies for supervision and inspection shall be included in computing the cost of any such work.

SEC. 5. The sum of \$5,000 is appropriated for the purpose of carrying out the provisions of sections 1 and 2 of this act, and \$5,000 for carrying out the provisions of section 3 of this act. The comptroller may advance to said director such amounts, within such appropriations as are necessary to meet the current expenses for the labor authorized under the provisions of this act.

Refuse—Removal From Jointly Owned Land. (Ch. 327, Act May 16, 1917.)

Any board of health or town health officer may, upon the written complaint of any person having an interest in any land, cause the removal of refuse and rubbish from such land and shall apportion the expenses of such removal among the co-owners: *Provided*, The cost of removal of any refuse and rubbish caused by the alteration or erection of any structure on such land shall be charged to the owner or owners causing such alteration or erection.

Sewage Disposal. (Ch. 220, Act May 1, 1917.)

SECTION 1. Section 2 of chapter 284⁵ of the public acts of 1915 is amended to read as follows: The State board of health may investigate all points of sewage discharge and may examine all existing or proposed public sewerage systems and refuse disposal plants, and may compel their operation in a manner which shall protect the public health, or may order their alteration, extension and replacement by other structures when necessary for the protection of the public health. After the passage of this act no public sewerage system or refuse disposal plant shall be built until the design of the same has been filed with the State board of health and approved by said board.

SEC. 2. Section 3 of said act is amended to read as follows: No person, corporation or municipality shall place or permit to be placed or discharge or permit to flow into any of the waters of the State, any sewage, except as hereinafter provided. The

⁵ Pub. Health Repts. Reprint 338, p. 122.

provisions of this act shall not prevent the discharge of sewage from any private sewerage system or any public sewerage system owned and operated by a municipality, provided such sewerage system was in operation and was discharging sewage into the waters of the State or was in process of construction, on the date of the passage of this act, or to any sewerage system for which the plans shall have been submitted to and approved by the State board of health; nor shall the provisions of this act prevent the discharge into the waters of the State of sewage from any existing plant or sewerage system owned and maintained by any person or private corporation; but these exceptions shall not permit the continuance or increase of any pollution of the waters of the State which is prejudicial to the public health.

Sewage and Refuse Disposal—Assistance to Persons, Corporations, or Municipalities by State Board of Health—Commission to Assist State Board of Health. (Ch. 361, Act May 16, 1917.)

SECTION 1. The State board of health, acting with the persons to be appointed under the provisions of this act, is authorized to make such investigations and employ such expert assistance as may be necessary to enable it to carry out the provisions of section 9 of chapter 284^a of the public acts of 1915, concerning pollution of the waters of this State.

SEC. 2. To assist the State board of health in carrying out the provisions of section 1 of this act, the governor shall, within 60 days after the passage of this act, appoint five persons to act with the State board of health in such investigations. At least two of such persons shall be men recognized as experienced in sanitation, and at least two of such persons shall be manufacturers. The persons appointed under the provisions of this act shall serve without compensation.

SEC. 3. For the purposes of this act the sum of \$25,000 is appropriated out of any money in the treasury not otherwise appropriated.

Disinfectants—Labeling—Misbranding. (Ch. 314, Act May 16, 1917.)

The receptacle containing any disinfectant for external use the phenol coefficient of which can be determined by a bactericidal test, manufactured, sold or offered for sale within the State shall bear a label showing the carbolic acid coefficient or relative germicidal value of such preparation as compared with pure carbolic acid. The relative germicidal value of a disinfectant shall be determined by the application of either the Rideal-Walker or the hygienic laboratory method. Any such disinfectant shall be misbranded if the statement contained on the label is false. Any person who shall misbrand any disinfectant within the meaning of this act or shall sell or offer the same for sale shall be fined not more than \$100, or imprisoned not more than 60 days, or both.

Tenement, Lodging, and Boarding Houses—Cleanliness—Receptacles for Garbage, Refuse, and Ashes. (Ch. 227, Act May 3, 1917.)

Section 2 of chapter 220^a of the public acts of 1911 is amended to read as follows: Every tenement, lodging or boarding house, and every part thereof, shall be kept clean and free from any accumulation of dirt, filth, garbage or other matter, in or on the same, or in the yards, courts, passages, areas or alleys connected with or belonging to the same. The owner, tenant, lessee or occupant of every tenement, lodging or boarding house, or part of such house, shall cleanse thoroughly all rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, water-closets, cesspools, drains, halls, cellars, roofs, and all other parts of such house, or the part of such house of which he is the owner, tenant, lessee, or occupant, to the approval of the board of health,

^a Pub. Health Repts. Reprint 338, p. 122.

^a Pub. Health Repts. Reprint 200, p. 28.

and shall keep the same in a cleanly condition at all times. The owner of every tenement house shall provide, for such building, suitable receptacles for, or convenience for the disposal of garbage, ashes, and rubbish.

Health Insurance and Pasteurization Plants—Investigation by Commission. (Ch. 163, Act Apr. 19, 1917.)

SECTION 1. The governor shall, on or before July 1, 1917, appoint five commissioners to investigate the * * * matter of * * * health insurance; pasteurization plants; * * * and to report to the next general assembly. Said commissioners shall serve without pay, but may incur such expenses as are authorized by the board of control.

DELAWARE.

Ophthalmia Neonatorum—Notification of Cases—Prevention. (Ch. 51, Act Apr. 2, 1917.)

SECTION 1. Any inflammation, swelling, or redness in either one or both eyes of any infant, either apart from or together with any unnatural discharge from the eye or eyes of such infant, independent of the nature of the infection, if any, occurring any time within two weeks after the birth of such infant, shall be known as "inflammation of the eyes of the newborn."

SEC. 2. It shall be the duty of any physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital of any nature, parent, relative, and any persons attendant on or assisting in any way whatsoever, any infant or the mother of an infant at childbirth, or any time within two weeks after childbirth, knowing the condition hereinabove defined to exist, within 6 hours thereafter to report such fact to the local health officer of the city, town, village, or whatever other political division there may be, within which the infant or the mother of any such infant may reside, and it shall be the duty of the local health officer to investigate or to have investigated, each case as filed with him in pursuance with the law, and any other such case as may come to his attention.

SEC. 3. It shall be the duty of physicians, midwives, or other persons in attendance upon cases of childbirth to use some prophylactic against inflammation of the eyes of the newborn and to make record of the prophylactic used, and to endorse the details thereof on every birth certificate.

SEC. 4. Whoever, being a physician, surgeon, midwife, obstetrician, nurse, parent, relative, or person attendant upon or assisting at the birth of any infant, shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than \$5 nor more than \$100.

State Board of Health—Organization—Secretary—Compensation of Members—Meetings. (Ch. 50, Act Apr. 9, 1917.)

That chapter 25, of the Revised Code of the State of Delaware, be and the same is hereby amended by repealing 737, section 2 thereof, and by substituting in lieu thereof the following section, to be styled as 737, section 2.

737. SEC. 2. The said board of health shall annually organize by electing a president who shall be a member of said board. Said board shall also elect a secretary who may be a member of said board. The secretary shall continue in office as such until removed by the election of a successor, or by a vote of the majority of the board. He shall be executive officer of said board, and shall receive an annual salary to be fixed by the board. The members of the board of health shall not receive a salary, but shall receive \$5 and their necessary expenses for each meeting of the board: *Provided, however,* That no member shall be paid for more than six meetings in any one year. For all meetings of the said board of health in excess of the six meetings in any one year, any member in attendance shall be paid his actual expenses for such attendance: *Provided further, however,* Nothing contained in this section shall be construed as to prevent the said board of health employing any of its members or any other person or persons for special services at a reasonable compensation. The board of health shall meet at least once in every three months, and oftener if necessary, and four members shall constitute a quorum for the transaction of business. The board shall have power to adopt rules and by-laws for their government, subject to the provisions of sections 1 to 9 inclusive.

State Board of Health—Seals—Powers and Duties—Reports to Legislature—Annual Meeting. Local Boards of Health—Appointment—Officers. (Ch. 49, Act Apr. 25, 1917.)

That chapter 25 of the Revised Code of the State of Delaware be and the same is hereby amended by adding thereto the following sections to be styled as 736A. section 1A; 798A. section 63A; and the same chapter 25 is hereby amended by repealing 739 section 4 thereof, 745 section 10 thereof, 786 section 51 thereof, and by substituting in lieu thereof the following sections to be styled as 739 section 4, 745 section 10, 786 section 51:

736A. SEC. 1A. The State board of health shall have a seal, which shall contain the words, "State Board of Health of Delaware 1879." Every certificate or other official paper executed by the secretary of the State board of health, in pursuance of any authority conferred by law, and bearing the seal of the board, shall be received as evidence, when duly certified by the secretary of said board under its seal, with the same force and effect as the original would, in law, be entitled to, if produced in open court.

798A. SEC. 63A. The State board of health shall have a seal, which shall contain the words, "State Board of Health of Delaware, Bureau of Vital Statistics 1913." Every certificate or other official paper executed by the secretary of the State board of health acting in his capacity as State registrar, in pursuance of any authority conferred by law, and bearing the seal of the board, shall be received as evidence, when duly certified by the secretary of said board, under its seal, with the same force and effect as the original would, in law, be entitled to, if produced in open court.

The State board of health shall have a seal for each vital statistic registration district which shall contain the words, "State Board of Health of Delaware, Bureau of Vital Statistics 1913" with the respective county and district inscribed therein. Every certificate or other official paper executed by any local registrar of the State board of health, in pursuance of any authority conferred upon him by law, and bearing the seal as herein described, shall be received as evidence, when duly certified by the said local registrar under its seal, with the same force and effect as the original would, in law, be entitled to, if produced in open court.

739. SEC. 4. Said board shall be an advisory board to the authorities of the State in all matters pertaining to public hygiene; it shall have authority to make special inspection of hospitals, prisons, asylums, almshouses [almshouses] and other public institutions, and to investigate by the secretary or committees of the board the cause of any special disease or mortality in any part of the State, and to make such regulations and adopt such measures including quarantine, vaccination, etc., as it may deem best efficient to eradicate all infectious diseases. In localities where there are no local boards of health, or where the same shall refuse or neglect to act, the president may direct any member of the board, or the secretary, to investigate all complaints made in writing, and if the said member shall find a nuisance to exist he shall order the same to be abated in a reasonable time. In such cases the State board shall have all power and remedies given by law to local boards; if no person responsible for said nuisance be found, the secretary shall abate the same, and his expenses shall, upon approval by the president, be paid by the treasurer of the county wherein said nuisance existed. Said State board shall, at each regular session of the legislature, submit to it a report of its acts, investigations and discoveries with such suggestions as may be deemed proper. Five hundred copies of said report shall be printed and bound in linen, and 300 paper bound, for exchange and distribution by the State board of health.

745. SEC. 10. The common council of every city and the commissioners of every incorporated town in the State, except in the city of Wilmington, shall appoint in January of each year, a board of health for such city or town, to consist of not less than three nor more than seven persons, of whom at least one should be a physician duly

authorized to practice medicine, and who shall hold said office until their successors are appointed; and in case there be a port physician appointed by the governor, he shall be a member of the board ex-officio. In case the said common council or the said commissioners are unsuccessful in securing persons to act on said board, then the said common council or the said commissioners are and shall be the board of health for such city or town, and shall perform all duties and offices said board of health should perform, and be subject to all laws applicable to local boards of health.

The said local boards of health shall elect annually from among their own members a president and a secretary of such board, and shall meet not less than once in every three months. The secretary of the board shall keep the minutes of the meetings of the board, and shall perform all such duties as shall be assigned to him by the board for which services he shall receive such compensation as the city council, or commissioners of the respective cities or towns may determine.

786. SEC. 51. The regular annual meeting of the State board of health shall be held on the first Thursday of April of each and every year, at which meeting the pathologist and bacteriologist shall be elected by the said board.

State Board of Health—Committee to Investigate Administration of. (Ch. 300, Res. Mar. 1, 1917.)

SECTION 1. That a committee consisting of two members of the senate to be appointed by the president pro tempore, and three members of the house to be appointed by the speaker, be appointed to investigate the office of the Board of Health of the State of Delaware, with a view to ascertain if that office can not be administered upon a more economical basis, without impairing its efficiency, and whether or not, in the judgment of the committee, the office should not be transferred from its present quarters in a private building, to the statehouse or county building at Dover.

SEC. 2. The chairman of said committee is hereby authorized to issue process to compel the attendance of witnesses before said committee, and to administer oaths and affirmations to witnesses at hearings of said committee, and any summons or other process may be served by the sergeant-at-arms of the senate or house.

State Tuberculosis Commission—Powers and Duties—Care of Indigent Patients—Sanatorium for Colored Persons—Appropriations. (Ch. 53, Act Apr. 2, 1917.)

That chapter 26 of the Revised Code of the State of Delaware, be and the same is hereby amended by repealing 828. section 4, 830. section 6, 831. section 7 and 833. section 9 and inserting in lieu thereof the following, to be styled 828. section 4, 830. section 6, 831. section 7 and 833. section 9:

828. SEC. 4. *Indigent patients; treatment of; cost of; how paid.*—The commission shall have power and is authorized to promote a careful study of conditions regarding tuberculosis throughout the State; to educate public opinion as to the causes and prevention of tuberculosis; to arouse general interest in securing adequate provision for the proper care of tuberculosis patients in their homes and by means of sanatoria; and to send such indigent consumptive patients as require treatment to sanatoriums for such treatment. Said commission shall pay for the care, treatment and support of such patients only the actual costs of their maintenance in said sanatoriums. Persons in indigent circumstances who, in the judgment of the commission, are able themselves or by their relatives to pay any part of said cost of maintenance, may be admitted to said sanatoriums and maintained and treated therein at the expense of the State to the extent that they cannot by themselves or relatives chargeable therefor pay such cost of maintenance.

830. SEC. 6. *Annual report to governor.*—The commission shall furnish annually to the governor a full account of its expenditures and disbursements. It shall also at the same time report to the governor the work of the commission for the year, including the number of persons treated, the results of treatment as nearly as can be ascertained,

and such other information as may be of public interest and value. Such report shall, at all times, be open to the inspection of the citizens of the State in the office of the Secretary of State.

831. Sec. 7. *Appropriation; how drawn.*—To defray the expenses of the commission, the sum of \$20,000 is appropriated annually out of the money in the State treasury not otherwise appropriated; and the State treasurer is authorized, from time to time, to pay out of such amount, upon the requisition of the chairman of the commission, or such member of the commission as may be selected by it, to sign such requisition in the absence of the chairman in accordance with the provisions of section 21, of chapter 15.

833. Sec. 9. *Hospital for colored persons; creation authorized; patients; admission of; annual appropriation.*—The Delaware State Tuberculosis Commission is authorized to acquire, on behalf of the State, by purchase or otherwise, a site for the erection of a hospital building or buildings, to be used for the care of colored inhabitants of the State afflicted with tuberculosis, and to erect the said building or buildings, and to provide for the care of such colored persons.

The said commission shall have power to admit such colored persons to the said hospital, when erected, as in the judgment of the said commission may be proper, and to provide for the care, treatment of and support of such persons under such rules and regulations as may be, from time to time, established by the said commission.

To provide for the support and maintenance of the said hospital and the patients occupying the same, the sum of \$10,000 is appropriated annually out of the money in the State treasury not otherwise appropriated; the State treasurer is authorized, from time to time, to pay such amount upon the requisition of the chairman of the commission, or such member of the commission as may be selected by it to sign such requisition, in the absence of the chairman.

Places where Females Are Employed—Water-Closets and Privies—Seats—Dressing Rooms—Lunch Rooms—Ventilation—Heating—Cleanliness—Exhaust Fans—Drinking Water—Duties of Inspectors of Labor Commission. (Ch. 231, Act Mar. 16, 1917.)

SECTION 1. *Toilets.*—In every mercantile, mechanical or manufacturing establishment, laundry, baking or printing establishment, dressmaking establishment, place of amusement, telephone or telegraph office or exchange, hotel, restaurant, or office in which females are employed or permitted to work there shall be provided suitable and easily accessible water-closets or privies for their use.

When both males and females are employed or permitted to work, and four or more persons are employed, separate water-closets or privies shall be provided for each sex and shall be plainly marked at the entrance "men" and "women," and these closets shall be easily accessible.

Where 15 or less such females are employed or permitted to work at any time, at least one water-closet or privy shall be provided; where 15 or more such persons are employed, they shall be provided in the ratio of one for every 25 persons.

All water-closets or privies shall be properly lighted and shall at all times be kept in repair, clean, sanitary and free from all obscene writing or marking. The compartments containing such water-closets or privies shall open to the outer air or be ventilated by means of a shaft or air duct to the outer air.

The entrance to every water-closet or privy used by females shall be effectively screened by a partition or vestibule. Where water-closets or privies for males and females are in adjoining compartments, they shall be separated by solid partitions extending from the floor to the ceiling; and where the entrances adjoin, they shall be separated by a screen or partition at least 7 feet high.

SEC. 2. *Seats.*—In every establishment named in section 1 of this act in which females are employed or permitted to work, there shall be provided suitable seats

for their use in the room where they work and the use of such seats shall be permitted. At least one seat shall be provided for every 3 females employed or permitted to work at any one time. During working hours all seats shall be conveniently accessible to those for whose use they are provided.

SEC. 3. *Dressing rooms.*—In every establishment named in section 1 of this act in which females are employed or permitted to work, there shall be provided washing facilities for their use; not less than one spigot, basin or receptacle for each 25 such persons employed at any one time. In establishments where the labor performed by such employees makes necessary or customary a change of clothing, there shall be provided one or more separate dressing rooms of adequate size for the exclusive use of such employees. Every dressing room shall be separated from any toilet compartment by adequate solid partitions; every dressing room shall be adequately heated, ventilated and illuminated. It shall be provided with a locker or separate hook for each worker and with a suitable number of seats.

SEC. 4. *Lunch rooms in certain establishments.*—In every establishment in which white lead, arsenic, nicotine or other poisonous or injurious substances, fumes or gases are present, or in which dust, lint or particles of material are created by the machinery or by the material in the process of manufacture, and in which females are employed or permitted to work, there shall be provided a suitable room, free from the aforesaid substances, fumes, gases, dust, line [lint] or particles of material, for the use of such employees. During the time allowed for meals they shall not be permitted to remain in any room where the aforesaid substances, fumes, gases, dust, lint or particles of material shall be present. In such establishments, washing facilities shall be provided, including hot water, soap and individual towels or paper tissue towels.

SEC. 5. *Ventilation and heat.*—In every establishment named in section 1 of this act in which females are employed or permitted to work, there shall be provided not less than 250 cubic feet of air space for each and every person in every workroom in said establishment, where persons are employed. In aforesaid establishments all workrooms shall be adequately heated and ventilated, and all workrooms, halls and stairways shall be kept in a clean and sanitary condition and properly lighted.

SEC. 6. *Exhaust fans in certain establishments.*—In every establishment in which poisonous fumes or gases are present, or in which poisonous or injurious dust, line [lint], or particles of material are created by the machinery or by the material in the process of manufacture and in which females are employed or permitted to work, there shall be provided proper hoods and pipes connected with exhaust fans of sufficient capacity to remove such fumes, gases, dust, lint or particles of material at the point of origin and prevent them from mingling with the air of the room, and such fans shall be kept running constantly while such fumes, gases, dust, lint or particles of material shall be generated or present.

SEC. 7. *Drinking water.*—A sufficient supply of clean and pure water and individual drinking cups or a sanitary fountain shall be provided in every establishment named in section 1 of this act in which females are employed or permitted to work. If drinking water is placed in receptacles, such receptacles shall be properly covered to prevent contamination and shall at all times be kept thoroughly clean. No employer in any such establishment shall collect from any employee money for ice or water furnished for drinking purposes.

SEC. 8. *Enforcement.*—It shall be the duty of the inspectors appointed by the Labor Commission of Delaware to enforce the provisions of this act. The inspectors shall visit and inspect establishments, and shall have the power whenever they have reason to suppose that work is being performed to visit and inspect any establishment in or in connection with which any female shall be employed or permitted to work. The inspectors shall investigate all complaints of violation of this act received by said inspectors, and institute prosecutions for the violations of the provisions thereof.

The State Board of Health of Delaware shall determine what are poisonous fumes and gases and what are poisonous or injurious dust, lint or particles of material, as set

out in section 6 of this act, and the Labor Commission of Delaware shall determine the definition of all other terms used in this act; but the decision of either the State Board of Health of Delaware or the Labor Commission of Delaware shall not be final, but subject to appeal to the court of general sessions of the State of Delaware in and for the county of the person appealing, or in case the appeal be prosecuted by the Labor Commission of Delaware, from the decision of the State board of health, then in and for the county wherein said poisonous fumes or gases or poisonous or injurious dust, lint or particles of material are created.

The inspectors shall keep records of all visits or inspections made and of all written orders given by the aforesaid inspectors. The inspectors shall keep records of all complaints of violation of this act received by them and of all prosecutions instituted, with the result of each prosecution.

In the enforcement of the provisions of this act, the inspectors shall give proper notice in regard to violation of this act to the person or corporation owning, operating or managing any such establishment. Such notice shall be written or printed and signed officially by the inspector, and said notice may be served by delivering the same to the person on whom service is to be had, or by leaving at his usual place of abode or business an exact copy thereof, or by sending a copy thereof to such person by mail.

Compliance with the written order of the inspector must be within the number of days specified by him in his order. Appeal from the decision of the inspector may be made to the Labor Commission of Delaware. Such appeal must be made in writing within 10 days of receipt of the inspector's order.

SEC. 9. *Violations.*—Any person who shall violate any of the provisions of this act; or who omits or fails to comply with any of the foregoing requirements; or who disregards any notice of the inspectors when said notice is given in accordance with the provisions of this act; or who obstructs or [or] interferes with any examination or investigation being made by the inspectors, shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined for the first offense by a fine of not less than \$10 nor more than \$50 and upon conviction of the second and subsequent offense shall be fined not less than \$25 or more than \$200. All fines shall be paid to the treasurer of the State of Delaware.

SEC. 10. *Prosecutions.*—Any justice of the peace of the State of Delaware shall have jurisdiction of any offense arising under this act, but any person convicted of such offense before any such justice of the peace shall have the right of appeal to the court of general sessions of the State of Delaware in and for the county in which said conviction was had, upon giving bond for the sum of \$100 to the State of Delaware with surety satisfactory to the said justice of the peace by whom said person was convicted: *Provided*, Such appeal shall be taken and such bond given within three days from the time of said conviction.

SEC. 11. All acts or parts of acts inconsistent herewith are hereby repealed.

SEC. 12. This act shall not go into effect until the 1st day of January, 1918.

Children—Employment in Certain Industries Prohibited. (Ch. 232, Act Apr. 2, 1917.)

SECTION 1. That article 3 of chapter 90 of the Revised Code of Delaware be and the same is hereby amended by repealing 3144, section 44, to 3192, section 92, thereof, inclusive and by inserting in lieu thereof the following sections to be styled * * * 3145, section 45; * * *

* * *
3145. SEC. 45. * * * Nor shall any child under 15 years of age be employed, permitted or suffered to work, in any capacity, * * * in stripping or assorting tobacco; nor in, about, or in connection with any processes in which dangerous or poisonous acids are used; nor in the manufacture or packing of paints, colors, white or red lead; nor in the manufacture or preparation of compositions with dangerous or poisonous gases; nor in the manufacture or use of dangerous or poisonous dyes; * * *

DISTRICT OF COLUMBIA.

Dogs—Muzzling Required. (Order Commissioners, July 5, 1917.)

That under the provisions of section 7, of the act of Congress approved June 19, 1878, entitled, "An act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes," the commissioners hereby give notice that every dog in said District shall, for a period of one year from and after July 9 wear a good substantial muzzle, securely put on, so as to prevent it from biting or snapping; and any dog going at large during said period without such muzzle, shall be taken up by the poundmaster and impounded.

FLORIDA.

Communicable Diseases—Notification of Cases. (Reg. Bd. of H., Feb. 13, 1917.)

SECTION 1. It being the duty of the State board of health to keep currently informed of the occurrence, geographic distribution, and prevalence of the preventable diseases throughout the State and to prevent the spread of these diseases, and for that purpose the following rules are adopted in accordance with power conferred on the State board of health, as provided by chapter 6892 ¹ (No. 86), laws of 1915:

SEC. 2. The following-named diseases and disabilities are hereby declared to be dangerous to the public health and made notifiable, and the occurrence of cases shall be reported as herein provided:

GROUP 1.—Communicable diseases.

Anthrax.	Mumps.
Chicken pox.	Ophthalmia neonatorum (conjunctivitis of newborn infants).
Cholera, Asiatic (also cholera nostras when Asiatic cholera is present or its importation threatened).	Paratyphoid fever.
Dengue.	Plague.
Diphtheria.	Pneumonia (acute)
Dysentery:	Poliomyelitis (acute infectious).
(a) Amoebic.	Rabies.
(b) Bacillary.	Scarlet fever.
Favus.	Smallpox.
German measles.	Syphilis.
Glanders.	Tetanus.
Gonococcus.	Trachoma.
Hookworm disease.	Trichinosis.
Leprosy.	Tuberculosis (all forms, the organ or part affected in each case to be stated).
Malaria.	Typhoid fever.
Measles.	Typhus fever.
Meningitis:	Whooping cough.
(a) Epidemic cerebrospinal.	Yellow fever.
(b) Tuberculous.	

GROUP 2.—Miscellaneous diseases.

Beriberi.

Cancer.

Pellagra.

Provided, That the State board of health may, from time to time, in its discretion, declare additional diseases notifiable and subject to the provisions of these rules and regulations.

SEC. 3. Every person who, in the State of Florida, treats or examines for the purpose of diagnosis or treatment any person suffering from or afflicted with, or who suspects that any person treated or examined by him is suffering from or afflicted with, any of the diseases made notifiable by the preceding section, shall report such case to the State board of health within six hours after making a diagnosis or suspecting the

¹ Pub. Health Repts. Reprint 338, p. 137

disease to be one required to be reported. Said report shall be transmitted in writing on a blank form provided by section 7 of these rules and regulations; said report shall give the following information which is necessary for the protection of the public health and welfare:

- (1) Date when the report is made.
- (2) The name of the disease or suspected disease.
- (3) The name, sex, color or race, and the county and municipality or voting precinct in which the patient is located at the time the diagnosis is made.
- (4) Age, occupation, school attended, and place of employment of the patient.
- (5) Number of adults and of children in the household.
- (6) Source or probable source of infection or the origin or probable origin of the disease.
- (7) Name and address of the person making the report.
- (8) If the disease is, or suspected to be, smallpox, the report shall, in addition, show whether the disease is of the mild or virulent type and whether the patient has ever been successfully vaccinated, and if the patient has been successfully vaccinated, the number of times and dates or approximate dates of such vaccination.
- (9) If the disease is, or is suspected to be, typhoid fever, scarlet fever or diphtheria, the report shall show whether the patient has been or any member of the household in which the patient resides is engaged or employed in the handling of milk for sale or preliminary to sale.

Provided, That if the person making the report is unable to secure any item or items of information mentioned in paragraphs 4, 5, 6, and 9 of the section without independent inquiry he shall state that fact on the report, by writing the word "unknown" after each item for which the information can not be obtained.

Employees of the State board of health shall be permitted to make an investigation of the case and secure the information; and it shall be the duty of any person interrogated in relation thereto to answer correctly and to the best of his or her knowledge all questions put to him or her by any such employee which may be calculated to elicit any information needed to verify or complete any report of a case of a known or suspected notifiable disease or to enable measures to be taken to prevent the spread of any such disease.

If the disease is, or is suspected to be, Asiatic cholera, diphtheria, leprosy, bubonic plague, acute poliomyelitis (infantile paralysis), scarlet fever, smallpox, or yellow fever the person required to make the report shall immediately wire the State health officer, collect, giving name and place of person, and the disease from which he suffers, or is afflicted with, or is suspected to be suffering from, or afflicted with.

SEC. 4. The requirements of the proceeding section shall be applicable to persons attending patients ill with any of the notifiable diseases in hospitals, asylums, or other institutions, public or private: *Provided*, That the executive officer of any institution, public or private, may designate in writing an officer or employee of such hospital, asylum, or other institution to report in place of the attending physician or other person treating or examining the patient in cases of notifiable diseases occurring in or admitted to said hospital, asylum, or other institution in the same manner as that prescribed for persons treating or examining patients. When designation has been made as above provided, it shall be the duty of such designated officer to report all cases of notifiable diseases occurring in or admitted to such hospital, asylum, or other institution in same manner as that prescribed for persons treating or examining patients.

SEC. 5. Whenever a person is known, or suspected, to be afflicted with a notifiable disease, or whenever the eyes of any infant two weeks of age become reddened, inflamed, swollen, or contain an unnatural discharge, and no physician is in attendance, an immediate report of the existence of the case shall be made to the State health officer by the midwife; if no midwife is in attendance, said report shall be made

by the father, mother, or other person in charge of the patient, each in the order named.

SEC. 6. Every teacher and every person in charge of any public or private school, including Sunday schools, shall report immediately to the State health officer each and every case which he or she knows or suspects to be a case of a notifiable disease in persons attending or employed in his or her school.

SEC. 7. The written reports of cases of notifiable diseases required by these rules and regulations of persons treating or examining persons afflicted with disease shall be made upon blanks and forms supplied by the State health officer.

SEC. 8. Any person who shall fail, neglect, or refuse to comply with or who shall violate any of the provisions of these rules and regulations shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than \$5, nor more than \$100, as provided in section 22 of chapter 6892 (No. 86), laws of 1915, under which authority all rules and regulations governing morbidity reports were adopted.

SEC. 9. These rules and regulations shall take effect June 1, 1917, and all rules and regulations or parts of rules and regulations inconsistent with the provisions of these rules and regulations are hereby repealed. No provision of these rules and regulations shall be construed as an attempt to appeal or amend any statute, or part thereof, requiring the reporting of diseases.

Dead Bodies—Transportation. (Reg. Bd. of H., Feb. 13, 1917.)

RULE 1. A transit and removal permit issued by the local registrar, his deputy or subregistrar of the registration district in which the death occurred or the body was found must accompany each dead body transported by a common carrier.

The transit and removal permits must state the place of death, name of deceased, sex, color or race, age, cause of death, and the date and hour of death.

The transit permit shall also state the date and route of shipment, the point of shipment and destination, the method of preparation of the body, and shall bear the signature and title of the registrar who issued the transit permit.

That portion of the transit permit designated as the label shall be tacked (not pasted) to the outer box or case.

The transit permit shall bear the signature of the embalmer preparing the body for shipment and show the number of his license issued by the State Board of Health of Florida.

RULE 2. The transportation of a dead body due to smallpox, bubonic plague, Asiatic cholera, diphtheria (membranous croup, diphtheric sore throat), scarlet fever (scarlet rash, scarlatina), erysipelas, glanders, anthrax or leprosy shall not be accepted for transportation unless prepared in the following manner:

(a) Arterial and cavity injection with an approved disinfecting fluid;

(b) Disinfection and stopping of all orifices with absorbent cotton;

(c) Washing the body with a disinfectant;

(d) The body shall be enveloped in a sheet or blanket saturated in a 1-1000 solution of corrosive sublimate; and

(e) The body after being prepared in the above manner shall be encased in an air-tight zinc, tin, copper or lead lined coffin or casket, all joints and seams hermetically sealed, and all encased in a strong wooden box; or, the body placed in a strong coffin or casket and encased in an air-tight zinc, tin, copper or lead lined outer box.

RULE 3. The transportation of a dead body from typhoid fever, puerperal fever, tuberculosis, or measles shall be prepared for transportation as provided in rule 2, except paragraphs (d) and (e).

RULE 4. The bodies of those dead from any cause not specified in rules 2 and 3 shall be accepted for transportation when encased in a sound coffin or casket and

enclosed in a strong outside wooden box: *Provided*, That the body will reach its destination within 30 hours from the time of death. If the body cannot reach its destination within 30 hours from the time of death then the body must be prepared as provided by rule 3.

RULE 5. In the shipment of bodies dead from any of the diseases named in rule 2, such body shall not be accompanied by persons or articles which have been exposed to the infection of the disease, unless certified by the local or State health officer as having been properly disinfected.

Before selling tickets, agents of the carrier must carefully examine the transit permit and note the passenger in charge, and of any others proposing to accompany the body, and see that all necessary precautions have been taken to prevent the spread of the disease.

The transit permit shall specifically state who is authorized to accompany the body.

In all cases where bodies are to be shipped under rule 2 notice must be sent by telegram by the shipping embalmer to the health officer, or, when there is no health officer, to other competent authority at destination, advising the date and the train on which the body may be expected.

RULE 6. No dead body shall be disinterred for transportation by a common carrier without the written consent of the State health officer.

RULE 7. Every outside case holding a dead body offered for transportation by common carrier shall bear at least four handles, and when over 5 feet 6 inches in length, shall bear six handles.

RULE 8. When dead bodies are to be shipped by express all of the preceding rules shall apply, except that the transit and removal permit shall be attached to and accompany the way-bill.

RULE 9. Bodies deposited in receiving vaults shall not be treated or considered the same as buried bodies when originally prepared by a licensed embalmer, as defined in rules 2 and 3 (according to the disease causing death), provided shipment takes place within 30 days after death.

When a body has been held 30 days from date of death, it shall be prepared in accordance with rule 2 and permission of the State health officer must be obtained before the body is offered for transportation.

RULE 10. These rules shall be in force and effect on and after their adoption, and the rules of the State Board of Health of Florida for the transportation of the dead, numbered 53, 54, 55, 56, 57, 58, 59, and 60 are hereby repealed.

GEORGIA.

List of Notifiable Diseases.

[The following is a list of the diseases which are required to be reported to the State board of health beginning Jan. 1, 1918:]

Actinomycosis.	Paratyphoid fever.
Acute infectious conjunctivitis.	Plague.
Anchylostomiasis (hookworm).	Pneumonia (acute lobar).
Anthrax.	Poliomyelitis.
Cerebrospinal meningitis.	Rabies.
Chicken pox.	Rocky Mountain spotted or tick fever.
Cholera.	Scarlet fever.
Dengue.	Septic sore throat.
Diphtheria.	Smallpox.
Dysentery (amebic).	Syphilis.
Dysentery (bacillary).	Tetanus.
Favus.	Trachoma.
German measles.	Trichinosis.
Glanders.	Tuberculosis (pulmonary).
Gonorrhea.	Tuberculosis (other than pulmonary).
Leprosy.	Typhoid fever.
Malaria.	Typhus fever.
Measles.	Whooping cough.
Mumps.	Yellow fever.

District Commissioners of Health—Certain City Health Officers May be Appointed—Salaries. (No. 247, Act Aug. 21, 1917.)

SECTION 1. That the act¹ to revise the health laws of the State of Georgia, and for other purposes, approved August 17, 1914, be and the same is hereby amended by inserting after the word "years," in the third line of section 5 thereof, the following words: "*Provided, That, in counties having therein a city which now has or may hereafter have a population of not less than 60,000 nor more than 150,000, the county board of health may appoint the health officer of any such city the district commissioner of health in and for said county, at such salary as may be agreed, which salary, however, together with all other expenses incurred in and about the discharge of his duties, shall be only and by and with the approval thereof, previously obtained, of the county officers in charge of levying taxes, and all such expenses, including a fair part of the salary of said commissioner, incurred for or in regard to the public schools or their scholars shall be paid out of funds raised for necessary sanitation.*"

¹Pub. Health Repts. Reprint 279, p. 14.

HAWAII.

Anthrax and Hemorrhagic Septicemia—Control, Suppression, and Eradication. (Act 162, Apr. 27, 1917.)

SECTION 1. The sum of \$25,000 or so much thereof as may be necessary is hereby appropriated from any funds available in the Territorial treasury for the purpose of controlling, suppressing and eradicating in the Territory of Hawaii the acute, infectious and contagious diseases of men and beasts known as anthrax and hemorrhagic septicemia.

SEC. 2. The amount hereby appropriated shall be immediately available and shall be under the control of and expended by the board of commissioners of agriculture and forestry.

Dairy Cattle—Tuberculin Test—Branding, Appraisal, and Slaughter of Diseased Animals—Reimbursement of Owners. (Act 121, Apr. 23, 1917.)

Bovine tuberculosis, a disease transmissible to human beings, and especially to children, through the consumption of milk from tuberculous cows, being prevalent in the Territory of Hawaii, the board of commissioners of agriculture and forestry is hereby authorized and empowered to take the following measures for the prompt prevention, suppression and eradication of bovine tuberculosis:

SECTION 1. All dairy cattle within this Territory more than six months old, shall be tuberculin-tested, and when found to be affected with bovine tuberculosis, either upon physical examination or by means of the tuberculin test shall be branded on the left cheek with the registered brand "T R," and segregated in a manner satisfactory to the said board, and shall be slaughtered within a time and at a place designated by an officer of the board, under the supervision of the Territorial veterinarian, his assistant or deputy; and the carcass of any such animal shall be disposed of according to the meat inspection regulations of the U. S. Bureau of Animal Industry.

SEC. 2. All such cattle shall be appraised before being slaughtered, the owner to be indemnified as hereinafter provided for.

SEC. 3. The president of the board of agriculture and forestry shall designate an appraiser who by and with the advice of the Territorial veterinarian, his assistant or deputy shall appraise each tuberculous animal within five days prior to the date of slaughter, basing the amount upon the class and market value of the animal at the time of the appraisal, whether for breeding purposes or for meat or milk production. Animals reacting to the tuberculin test, but not exhibiting any physical evidence of tuberculosis shall be appraised without considering the presence of a diseased condition, but animals exhibiting physical evidence of tuberculosis shall be appraised as diseased animals.

SEC. 4. The amount of indemnification shall in no case exceed \$150 for each animal, and all payments thereof shall be made upon vouchers approved by the president of the board of agriculture and forestry: *Provided*, That no payment shall be made for an animal which has been in the Territory for a period of less than six months prior to the date of slaughter.

SEC. 5. If the amount of appraisal of any animal, as determined by the appraiser designated, is not satisfactory to the owner, he may protest against the same, whereupon a board of three appraisers is to be formed, one of whom shall be designated by the president of the board of agriculture and forestry, one to be selected by the owner, and the third to be selected by these two. The value of the animal to be appraised decided upon by these three appraisers, or by two of them, shall be regarded as final.

SEC. 6. Compensation for all appraisers appointed or selected pursuant to this act shall not exceed \$5 per diem, and such compensation and their necessary traveling expenses shall be paid upon vouchers approved by the president of the board of agriculture and forestry.

SEC. 7. Following the appraisal of the tuberculous animals the amount of reimbursement shall be determined in accordance with the results of the post mortem inspection as follows:

(a) If any animal is found upon post-mortem examination not to be affected with tuberculosis, the carcass and other edible portions shall be passed for food and the owner shall sell the same including all accompanying parts at a fair market price which price shall be deducted from the amount of appraisal and the balance, if any thus remaining, shall be paid as hereinafter [hereinbefore?] provided.

(b) If any animal is found upon post mortem examination to be affected with tuberculosis and the lesions are such that the carcass and parts are passed for food, the owner shall sell the same at a fair market price which price shall be deducted from 80 per cent of the appraised value and the balance, if any thus remaining, shall be paid as hereinafter provided for.

(c) If any animal upon post-mortem examination is condemned for offal the owner shall sell the hide at a fair market price which price shall be deducted from 50 per cent of the appraised value and the balance, if any thus remaining, shall be paid as hereinafter provided for.

SEC. 8. Any premises upon which there have been kept animals affected with tuberculosis shall be disinfected promptly after the removal of such animals and in a manner satisfactory to the Territorial veterinarian, his assistant or deputy and at the expense of the owner.

SEC. 9. The sum of \$20,000 is herewith appropriated for the purpose of this act.

Foodstuffs—Adulteration and Misbranding. (Act 164, Apr. 28, 1917.)

SECTION 1. Subsection (b) of section 992 of the Revised Laws of Hawaii, 1915, is hereby amended to read as follows:

(b) In the case of food:

1. If any substance or substances have been mixed with it so as to lower or depreciate or injuriously affect its quality, strength or purity;

2. If any inferior or cheaper substance or substances have been substituted wholly or in part for it;

3. If any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it;

4. If it is an imitation of, or is manufactured, sold, kept for sale or offered for sale under the name of another article;

5. If it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted or rotten animal or vegetable substance, whether manufactured or not;

6. In the case of milk, if it is the produce of a diseased animal, or if it contains less than 11½ per centum of total solids or 2½ per centum of butter fat, or if it contains any preservative or antiseptic;

7. In the case of cream, if it contains less than 18 per centum of butter fat, or if it contains any preservative or antiseptic;

8. In the case of ice cream, if it contains less than 14 per centum of butter fat, except in the cases of fruit or nut ice cream, in which cases it shall contain not less than 12 per centum of butter fat; ice cream is a frozen product made from pure milk substances and sugar, with or without a natural flavoring and there may be permitted in its manufacture fresh eggs and not exceeding 1 per centum of pure gelatin, gum tragacanth or vegetable gum (the milk substances permitted are milk, cream, butter, condensed milk and skimmed milk. The use of an homogenizer, an emulsifier, or other apparatus

intended for the better mixing of the product is permitted. Any wholesome frozen dairy product made in the semblance of ice cream, but containing less than 14 per centum butter fat, may be sold, but not as ice cream);

9. In the case of poi, if it contains less than 30 per centum of total solids;

10. If it is colored, coated, polished or powdered whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is;

11. If it contains any added substance or ingredient which is poisonous or injurious to health, or any deleterious substance not a necessary ingredient in its manufacture: *Provided*, That the provisions of this chapter shall not apply to mixtures or compounds recognized as ordinary articles of food, if the same be distinctly labeled as mixtures or compounds, and are not injurious to health, and contain no ingredient not necessary to the preparation of a genuine article of such mixtures or compounds, and from which no necessary ingredient in its preparation is eliminated.

Deaths—Registration—Burial and Removal Permits. (Reg. Bd. of H., Sept. 28, 1917.)

SEC. 103. *Report of deaths.*—All deaths occurring in the Territory of Hawaii must be reported in writing to the registrar of deaths with the name, sex, and age of the deceased, whether married or single, the occupation, nationality, place of birth, place of death, date of death, duration of last illness, cause of death, names of the consulting and attending physicians, whether deceased was a resident or nonresident, and the cemetery where burial is intended.

Permits required.—No body of any dead person whose death occurs in the Territory shall be interred, deposited in a vault or tomb, cremated, embalmed or otherwise disposed of, in the Territory, or removed from or into any registration district thereof, or be held pending further disposition more than 72 hours after death, unless a written burial or removal permit shall be given by the registrar or deputy registrar of births, deaths and marriages of the registration district in which the death occurs.

Herbs and Plants—Investigation of Medicinal Properties and Value of—Appropriation. (Act. 195, May 1, 1917.)

SECTION 1. The sum of \$3,000 is hereby appropriated out of any moneys in the treasury of the Territory, received from general revenues not otherwise appropriated, to be expended under the supervision and direction of the Territorial board of health for salaries and expenses of investigating the medicinal properties and value of herbs and plants grown in the Hawaiian Islands; and for enabling the Territorial board of health to publish a report of such investigation before the convening of the next legislature of Hawaii.

IDAHO.

Communicable Diseases—Notification of Cases—Isolation—Quarantine—Placarding—School Attendance—Disinfection—Burial—Library Books. (Reg. Bd. of H., June 21, 1917.)

The State Board of Health of Idaho hereby declares and publishes the following as contagious or infectious diseases, dangerous to public health, and which are required to be reported.

- | | |
|---|----------------------------|
| 1. Asiatic cholera (cholerine). | 11. Smallpox. |
| 2. Bubonic plague. | 12. Trachoma. |
| 3. Cerebrospinal meningitis. | 13. Tuberculosis. |
| 4. Chickenpox. | 14. Typhoid fever. |
| 5. Diphtheria (membranous croup). | 15. Typhus fever. |
| 6. Infantile paralysis (poliomyelitis). | 16. Whooping cough. |
| 7. Leprosy. | 17. Yellow fever. |
| 8. Measles—including German measles. | 18. Mumps. |
| 9. Rabies. | 19. Ophthalmia neonatorum. |
| 10. Scarlet fever (scarlatina). | |

* * * * *

RULE 8. It shall be the duty of every physician called to attend a person sick, or supposed to be sick, with any of the diseases declared, by the State board of health, to be contagious and infectious diseases, and dangerous to public health, within 24 hours after diagnosis is established to report, in writing, the name and residence of such person to the local board of health, or its proper officer, within whose jurisdiction such person is found; and where a person is taken sick with any of the aforesaid named diseases as are declared contagious and dangerous to the public health, by the State board of health, and a physician is not called, it shall in like manner be the duty of the owner or agent of the building in which such person resides, lives or is staying, or of the head of the family in which such disease occurs, to report, in writing, the name and residence of the patient to the local board of health or its proper officer.

RULE 9. No person suffering from Asiatic cholera (cholerine), yellow fever, infantile paralysis, smallpox, typhus fever, bubonic plague, diphtheria (membranous croup), cerebrospinal meningitis, scarlet fever (scarlatina), measles, or whooping cough, shall be admitted into any public, parochial, or private school, or college, or Sunday school, or shall enter any assemblage, or railway car, street car, vessel, or steamer, or other public conveyance.

RULE 10. No person shall be admitted into any public, parochial or private school, or college, or Sunday school from the premises of any family in which Asiatic cholera, yellow fever, infantile paralysis, smallpox, chickenpox, typhus fever, bubonic plague, diphtheria (membranous croup), cerebrospinal meningitis, scarlet fever (scarlatina), or measles exists.

RULE 11. No parent, guardian or other person having charge or control of any child or children shall allow or permit such child or children to go from the premises in which a case of Asiatic cholera (cholerine), yellow fever, infantile paralysis, smallpox, chickenpox, typhus fever, bubonic plague, diphtheria (scarlatina) [sic], or measles has recently occurred, without a permit from the board of health, or its proper officer.

RULE 12. It shall be the duty of the health officer of every local board of health in this State, when a case of Asiatic cholera (cholerine), yellow fever, infantile paralysis.

smallpox, typhus fever, bubonic plague, diphtheria (membranous croup), cerebrospinal meningitis, or scarlet fever (scarlatina), is reported within his jurisdiction, to at once place, or cause to be placed in a conspicuous position on the house wherein any of the aforesaid diseases occur, a quarantine flag or card on which shall be inscribed in large letters the name of the disease and "contagious disease within," and to prohibit entrance or exit to or from such house, except for the attending physician and other necessary attendants, without a written permission from the board of health, or its health officer acting as such.

RULE 13. Immune contacts may be permitted to follow usual avocations if disinfected and removed from infected premises.

RULE 14. Any house or building, and its contents, in which a case of Asiatic cholera (cholera), yellow fever, smallpox, typhus fever, bubonic plague, diphtheria (membranous croup), infantile paralysis, phthisis pulmonalis or consumption has occurred, shall be disinfected either by the owner or occupant, under the supervision of the board of health, or its proper officer, or in cases wherein the law provides by the board of health itself, in the manner recommended by the State board of health in its work under the head of disinfection.

RULE 15. Period of isolation and quarantine in certain contagious diseases shall be as follows:

Disease.	Isolation of patient.	Quarantine of contacts.	Exclusion from school.	Terminal disinfection required.	Special precaution.
Diphtheria (membranous croup).	21 days, or two successive negative cultures after 14 days' isolation.	14 days from last exposure or immunizing dose of anti-toxin.	For 2 weeks after recovery, or longer if cultures are positive.	Yes: room of patient and contents.	Disinfection of discharges from nose and throat. Antiseptic bath.
Scarlet fever (scarlatina).	Until desquamation is complete and no discharging sinus.	10 days from date of last exposure.	2 weeks after recovery.	.....do.....	Antiseptic bath.
Smallpox and chicken pox.	Until all crusts have fallen off.	17 days from date of last exposure unless immune.	.....do.....	Yes.....	Successful vaccination for smallpox of all contacts. Antiseptic bath.
Typhoid.....	Until temperature has been normal 10 days.	No, but contacts may not work where food-stuffs are prepared or sold.	.....do.....	Yes.....	Vaccination of contacts. Disinfection of all discharges, bed and body linen and utensils used by patient. Destruction of flies.
Infantile paralysis	Until temperature has permanently returned to normal.	Confine to premises 10 days from date of last contact.	2 weeks after acute stage has passed if able.	No.....	Disinfection of all discharges from patient. Screens and destruction of flies.
Measles.....	Until desquamation is complete and all catarrhal symptoms have subsided.	Confine to premises 2 weeks from date of last exposure.	2 weeks after recovery.	No.....	Air and sunlight to room occupied by patient after thorough scrubbing.
Epidemic cerebrospinal meningitis.	3 weeks, or until temperature has returned permanently to normal.	.....do.....	.....do.....	No.....	Air and sunlight to room occupied by patient after thorough scrubbing. Screens and destruction of flies.

RULE 16. It shall be the duty of every county board of health and local board of health in the State of Idaho to have a supply of quarantine cards printed according to the following specifications:

Cards shall be printed on heavy card-board in letters not less than $2\frac{1}{2}$ inches high, with the following legend, "Contagious disease within," and name of disease, also "Entrance or exit from this building is absolutely prohibited."

Each county board of health shall also have printed a supply of warning cards with the legend, "Warning, contagious disease within," in letters not less than 2 inches in height, to be used in those diseases where rigid quarantine is not required and it shall be the duty of the health officer to whom such contagious diseases are reported to immediately affix, or cause to be affixed, to the front entry, or entries, of such building wherein disease exists a proper quarantine or warning card.

RULE 17. Buildings wherein contagious disease exists, and where terminal disinfection is required, shall be disinfected by, or under the directions of, the county health officer as follows:

Sheets moistened with a 40 per cent solution of formaldehyde are to be suspended in the room, or rooms, occupied by the patient at the conclusion of the disease, using one pint of 40 per cent solution of formaldehyde to each 1,000 cubic feet of air space.

All clothing and bedding shall be spread out in such manner as to be properly brought under the influence of the formaldehyde gas.

Windows shall be sealed with strips of gummed paper before disinfection, and after the application of the solution of formaldehyde, the door of exit must be thoroughly sealed with gummed paper.

Duration of disinfection shall not be less than 6 hours.

Room, or rooms, must be thoroughly scrubbed and aired after disinfection.

RULE 18. Public funerals of persons dead of contagious diseases are absolutely prohibited.

Burial of persons dead of contagious diseases shall be within 24 hours of such death.

Bodies of persons dead of contagious diseases shall be wrapped securely in a sheet saturated with 1 to 2,000 solution of bichloride of mercury before being placed in casket.

Casket containing the wrapped body of a person dead of contagious disease shall be hermetically sealed, and after sealing shall not again be opened.

RULE 19. Library books that have been kept in any building occupied by a person, or persons, suffering from contagious and infectious disease, dangerous to public health, shall not be returned to the library, but shall be destroyed by burning.

County Boards of Health—Members—Duties. County Health Officers—Appointment—Duties. (Reg. Bd. of H., June 21, 1917.)

RULE 1. The county commissioners of each county shall appoint a licensed physician residing in the county who shall be known as the county health officer and who, together with such board of county commissioners shall constitute a county board of health.

RULE 2. Reasonable compensation shall be arranged for the services of the county health officer as the executive officer of the county board of health.

RULE 3. The county health officer is required to supervise the quarantining of all contagious and infectious diseases (as required by the State board of health) and the disinfection of persons and premises.

RULE 4. The county health officer shall make a monthly report to the secretary of the State board of health of all contagious and infectious diseases occurring within his jurisdiction, on blanks supplied by the State board of health.

RULE 5. The county health officer shall make sanitary inspections of public schools within his jurisdiction at the request of the county superintendent of public instruc-

tion, and file a complete report within 15 days after such inspection with the secretary of the State board of health on blanks to be supplied by the State board of health.

RULE 6. Where a licensed physician has reported a temporary quarantine to the local board of health, the county health officer may authorize said physician to make said temporary quarantine permanent until ordered raised by the local board of health.

RULE 7. That the county boards of health shall insist that all persons required by law to do so report all suspected contagious diseases within 24 hours after diagnosis is established.

Milk and Cream—Sale from Places where Communicable Diseases Exist Prohibited—Notification of Cases of Communicable Diseases on Dairy Farms. (Ch. 103, Act Feb. 28, 1917.)

SECTION 1. That section 16, chapter 190, session laws 1911, be and the same is hereby amended to read as follows:

SEC. 16. No milk or cream shall be sold or dispensed as food from any house, store, shop, dairy or other place in which there is a case of contagious or infectious disease, as aforesaid, until all danger of contagion has been removed, and permission in writing is obtained from the local health officer authorizing the sale of milk or cream, from said house, shop, or from said dairy, or other place.

The existence of smallpox, typhoid fever, diphtheria, scarlet fever, measles or other communicable diseases on or in the immediate vicinity of the dairy farm shall be promptly reported to the county health officer and by him to the State board of health, and the sale of milk shall be stopped until its resumption is authorized as provided by law.

Dairy Products and Foodstuffs—Sale from Premises where Communicable Diseases Exist Prohibited. (Reg. Bd. of H., June 21, 1917.)

RULE 26. The sale of milk or cream or any other dairy products, and the sale or handling of foodstuffs intended for sale is absolutely prohibited on the premises wherein contagious and infectious disease exists.

Common Drinking Cups and Common Towels—Prohibited in Public Places. (Reg. Bd. of H., June 21, 1917.)

RULE 24. The use of a common drinking cup or receptacle for drinking water in any public hall or private school, or in any railway station or car in the State of Idaho, and the furnishing of such common drinking cup or receptacle for use in any public place is hereby prohibited.

The term "common drinking cup" as used in this rule, shall be construed to mean for use by more than one person.

RULE 25. No person, firm or corporation owning, in charge of or in control of any lavatory or wash room in any hotel, restaurant, factory, store, office building, school, public hall, railway station, railway car, or public place or building shall maintain in or about such lavatory or wash room any towel for common use, nor shall they expose for use or allow to be exposed for use any towel to be used by more than one person, such as that now known as the roller towel. The term "common use" as used in this rule, shall be construed to mean for use by more than one person.

Privies—Construction. (Reg. Bd. of H., June 21, 1917.)

RULE 20. All privies, toilets and outhouses used for depositing human excreta must be made fly-proof and protected, as follows:

- (a) The room shall be water tight.
- (b) The house shall be without cracks through which flies may enter.
- (c) The door shall fit closely and be self-closing.

- (d) The opening on seats shall have hinge covering.
- (e) The vault, whether pit, box or tank, tub, pail or other receptacle, shall be securely protected against flies.
- (f) All openings for ventilation, etc., shall be screened with wire netting.

Schools—Construction—Drinking Water—Water-closets and Privies. (Reg. Bd. of H., June 21, 1917.)

SECTION 1. All schoolhouse sites shall be dry, and such drainage as shall be necessary to secure and maintain dry grounds and dry buildings, shall be supplied. No insanitary or unhealthful conditions whatsoever shall be permitted to exist within 350 feet of said sites. Good walks shall lead from the street or highway to every schoolhouse, and dry playgrounds shall be provided.

SEC. 2. The ground floor of all schoolhouses shall be raised at least 3 feet above the ground level to lower edge of first floor joists. One-room schoolhouses shall have solid foundations of brick, stone or concrete, and the area between the ground and the floor shall be thoroughly ventilated. Each pupil shall be provided with not less than 225 cubic feet of space, and the interior walls shall be either painted or tinted some neutral color as gray, slate, buff or green.

SEC. 3. All schoolrooms shall be lighted from one side only, and the glass area shall be not less than one-sixth the floor area; all windows to be provided with roller or adjustable translucent shades of neutral color, as blue, gray, slate, buff or green. In all schoolhouses desks shall be so placed that the light shall fall over the left shoulders of the pupils.

SEC. 4. Blackboards shall be preferably of slate, but of whatever material the color shall be a dead black.

SEC. 5. All schoolhouses shall be supplied with pure drinking water and the water supply shall be from driven wells or other sources approved by the State board of health. Wherever it is practicable, approved flowing sanitary drinking fountains which do not require drinking cups shall be provided. When water is not supplied from public water faucets, sanitary flowing fountains or wells, then approved covered tanks or covered coolers with free flowing faucets shall be provided. All schoolhouse wells shall be supplied with troughs or drains to carry away waste water, and under no conditions shall pools or sodden places or mudholes be allowed to exist near a well.

SEC. 6. Heating apparatus of all kinds shall be capable of maintaining a temperature of 70 degrees Fahrenheit in zero weather and of maintaining a relative humidity of at least 30 per cent; and said heaters shall receive air from outside the building and after heating introduce it into the schoolroom at a point not less than 5 feet from the floor and at a minimum rate of 30 cubic feet per minute for each pupil. When direct-indirect steam or hot water heating is adopted, then the openings or ducts for admitting outside air shall be opposite and directly under the radiator. Halls and office rooms may be heated with direct steam or hot water radiators, but direct steam and direct hot water heating are forbidden for schoolrooms. Ordinary stoves without jackets and inlets for fresh outside air are condemned and forbidden.

All rooms shall be provided with efficient exit ventilating ducts of ample size placed near the floor on the side of the room nearest the inlet.

SEC. 7. Water-closets, or dry closets, when provided, shall be efficient and sanitary in every particular; and when said closets are not provided, then good fly-tight, well ventilated outhouses for the sexes, separated by closely built fences, shall be provided. Good dry walks shall lead to all outhouses and solid screens or shields shall be built in front of them. Outhouses for males shall have urinals arranged with stalls and with conduits of galvanized iron or other impervious material draining into a sewer, vault or other suitable place.

SEC. 8. These rules directing specific features in the construction of schoolhouses necessary to secure sanitary conditions shall apply to all new buildings erected and to

all old buildings rebuilt or remodeled after the passage of said regulations, and all health officers shall see to the enforcement of these regulations and promptly enter prosecution for any violation thereof.

Schools—Overcrowding Prohibited—Cleaning—Ventilation—Drinking Water—Common Drinking Cups and Common Towels Prohibited—Water-closets and Privies.
(Reg. Bd. of H., June 21, 1917.)

SECTION 1. School authorities shall not crowd children into schoolrooms in excess of one child to each 225 cubic feet of space, and it shall be the duty of all health officers having jurisdiction to dismiss forthwith any schoolroom in which 225 cubic feet of air space is not supplied to each pupil; and the school authorities shall without delay make provision for pupils in accordance with the requirements herein set forth.

SEC. 2. All schoolhouses, before school opens in the autumn, shall be thoroughly cleansed. The cleaning shall consist in sweeping with suitable sweeping compound and scrubbing the floors and thoroughly washing all woodwork, including the wooden parts of desks and seats. Dry sweeping is absolutely prohibited.

SEC. 3. Ventilation must be carefully attended to in all schoolrooms, and when ventilating ducts do not exist it shall be the duty of the teachers to flood the schoolrooms with fresh air by opening windows and doors at recess and at noontime, and also whenever the air becomes close or foul. All schoolhouses shall be supplied with an abundance of pure drinking water.

All schoolhouse wells shall be supplied with troughs and drains to carry away waste water, and under no conditions shall pools, sodden places or small or large mudholes be allowed to exist near wells. Buckets and all open water receptacles are condemned and forbidden, for such furnish most excellent opportunities for transmitting disease germs which occur in saliva. When water is not supplied from approved sanitary flowing drinking fountains, then covered tanks or covered coolers with approved free flowing faucets shall be supplied. Common drinking cups in the public schools are prohibited.

SEC. 4. Water-closets, dry closets and outhouses shall be kept clean and sanitary at all times, and pupils should be taught decency and promptly punished for indecency. Water-closets or dry closets, when provided, shall be efficient in every particular; and when said closets are not provided, then good fly-tight, well ventilated outhouses for the sexes, separated by closely-built fences, shall be provided. Good, dry walks shall lead to all outhouses and closely-built screens or shields shall be built in front of them. Outhouses for males shall have urinals arranged with stalls with conduits of galvanized iron or other impervious material draining into a sewer, vault or other suitable place. Facilities for washing the hands must be provided in all schools and teachers should instruct pupils to use them after visiting the water-closet or outhouse. The use of roller towels used in common by two or more pupils is condemned and it is recommended that schools furnish paper towels for the use of pupils and teachers.

SEC. 5. Health officers shall enforce these rules and promptly enter prosecution for any violation thereof.

Dust—Prevention of, when Drilling in Mines. (Ch. 86, Act Mar. 14, 1917.)

SECTION 1. It shall be unlawful for any owner, operator or person in charge of any underground mine to cause to be drilled or bored by machinery a hole or holes in any stope or raise in ground that causes dust from drilling, unless said machinery is equipped with a water jet or spray or other means equally efficient to prevent the escape of dust.

SEC. 2. Where machinery used for drilling or boring holes in stopes or raises is equipped, as required by section 1 of this act, it shall be unlawful for any person or

persons to drill or bore a hole in said stope or raise without using said appliance for the prevention of dust.

SEC. 3. Any person who violates either of the two preceding sections, or any owner, operator, or person in charge of any underground mine who hires, contracts with or causes any person to violate the two preceding sections shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$100, nor more than \$500, or by imprisonment in the county jail not more than six months or by both such fine and imprisonment.

SEC. 4. The words "person," "operator," "owner" and "person in charge," wherever used in this act, shall be deemed to include corporations and associations existing under or authorized by the laws of either the United States, the laws of the Territories, the laws of any State or the laws of any foreign country.

Domestic Animals—Disposal of Dead Bodies. (Reg. Bd. of H., June 21, 1917.)

RULE 23. The carcasses of any dead animals or fowls shall be buried within 24 hours after death, and shall not be thrown into any stream, lake, pond, well or other body of water within the State of Idaho.

Manure—Receptacles for. (Reg. Bd. of H., June 21, 1917.)

RULE 21. Every person, whether as owner, tenant, employer, or agent, being in charge of any stable, barn or other place where horses, mules, cows or other livestock are kept, shall at all times keep and maintain in or adjacent to said stable, barn or other place a receptacle or box of sufficient dimensions to hold and contain all manure from said livestock; said receptacle or box shall be so constructed as to prevent any of the contents filtering through the bottom or sides and shall be covered with fly-tight lid, which lid shall be kept closed at all times, except when it is necessary to open same to deposit or remove the manure from said receptacle or box.

The provisions of this regulation shall not apply to stables or places from which manure is removed each day.

Public Institutions and Schools in Counties—Examination Into Sanitary Condition of. (Ch. 111, Act Mar. 7, 1917.)

SECTION 1. That section 1097a of the Revised Codes of Idaho, as amended by chapter 140¹ of the acts of the twelfth session of the legislature, laws of 1913, page 494, be and the same is hereby amended to read as follows:

SEC. 1097a. It shall be the duty of all county boards of health to provide for the examination by the secretary into the sanitary condition of all county buildings and jails and other public institutions, at least once every year, before the first of May, and as near said day as may be practicable and such examining officer shall file a complete report within 15 days after said first day of May, with the secretary of State board of health. It shall also be the duty of all county boards of health to provide promptly for the examination by the secretary into the sanitary condition of any school building in the county, upon a request for such an examination by the county superintendent of public instruction. The examining officer shall file a complete report within 15 days after such examination of a school building with the secretary of the State board of health.

Offensive Trades—Permit Required. (Reg. Bd. of H., June 21, 1917.)

RULE 22. No tannery, slaughterhouse, creamery, feeding yards for stock, livery or boarding stable, rendering establishment, or other offensive trade or business, shall be located in any city, village or township in Idaho without having first secured a permit for such location from the local board of health. Such permit shall designate the place where said trade or business may be carried on.

¹Pub. Health Repts. Reprint 264, p. 145.

ILLINOIS.

Tuberculosis—Notification of Cases—Instructions to Household—Inspection of Home by Health Officer—Sputum Examinations—Precautions by Patient—Sale of Foodstuffs from Premises where Disease Exists—School Attendance—Infected Persons Prohibited from Nursing—Notification of Death or Removal—Disinfection. (Reg. Dept. of Pub. H., Aug. 1, 1917.)

RULE 1. Reports.—Every physician, attendant, parent, householder or other person having knowledge of a known or suspected case of pulmonary tuberculosis or consumption, must immediately report same to the local health authorities.

RULE 2. Instruction.—It shall be the duty of every physician attending a case of pulmonary tuberculosis or consumption to advise the patient and the members of the family and household as to the nature of the disease and as to the means whereby infection may be avoided especially as to the isolation of open cases of tuberculosis, the proper disposal of sputum, the control of cough and the avoidance by healthy persons of the use of articles that have been used by the sick.

RULE 3. Inspection.—It shall be the duty of the health officer, upon receiving a report of a case of pulmonary tuberculosis or consumption, to visit and inspect or to cause to be visited and inspected by a duly authorized and competent agent, the home of the patient to satisfy himself that reasonable precautions are being taken for the protection of the public and of the members of the household.

RULE 4. Sputum examinations.—It shall be the duty of the health officer, from time to time during the illness of the patient, to cause specimens of the patient's sputum to be submitted to him and to examine specimens of sputum or to cause same to be examined in a public laboratory, for the purpose of determining whether or not the patient is to be regarded as an "open case" of pulmonary tuberculosis or consumption.

(The laboratory of the State department of public health, Capitol Building, Springfield, will make examinations of sputum without charge if forwarded in proper containers. These containers for the collection and shipment of sputum may be obtained at any of the several hundred free antitoxin stations situated in all county seats and principal cities in the State.)

RULE 5. Open cases.—The term "open case" of pulmonary tuberculosis or consumption, as employed in these rules and regulations, applies to cases showing active evidence of the disease, to those who have persistent cough and who produce sputum containing tubercle bacilli. All cases known to be those of pulmonary tuberculosis or consumption shall be regarded as "open cases" until three successive specimens of sputum, collected within a period of three weeks, shall have been found to be negative or to contain no tubercle bacilli upon examination by the health officer or in a public laboratory.

RULE 6. Precautions.—No person suffering from an open case of pulmonary tuberculosis or consumption, as defined in paragraph 5, shall occupy the same room as a bedchamber or sleeping room with any apparently well person.

The sputum raised and ejected by a tuberculous person or consumptive shall be destroyed or rendered sterile (a) by removing the sputum from the mouth by means of tissue paper, paper napkin or clean cloth and subsequently burning such paper or cloth, or, (b) by depositing the sputum in a paper or cardboard sputum cup or container and subsequently burning the container without using same after it has once been emptied of sputum, or (c) by depositing the sputum in glass, china, porcelain or metal sputum cups or sputum flasks which are to be emptied only after being

treated with a strong solution of carbolic, lysol, bichloride of mercury or some other efficient disinfectant. In case a glass, china, porcelain or metal sputum cup or flask is employed, it should be cleansed after use with a strong disinfectant and should be boiled for a period of not less than 15 minutes.

A tuberculous person or consumptive shall not spit upon floors, streets, walks or other public or private places nor should he use spittoons or dispose of his sputum in any other way than as prescribed heretofore.

A tuberculous person or consumptive should not cough without covering his mouth with paper, cloth or other material, which paper, cloth or material should be promptly burned.

RULE 7. Sale of milk, groceries and provisions.—Whenever an open case of pulmonary tuberculosis or consumption is found to exist in premises where milk, groceries, vegetables, meats or other foodstuffs are either produced, handled or sold, the sale, exchange or distribution in any manner whatsoever of any milk, cream or other milk products, groceries or vegetables, meats or other foodstuffs is strictly prohibited until the case is terminated by arrest of the disease or by removal or death and the premises have been thoroughly disinfected: *Provided*, That when, in the opinion of the health officer, based upon personal inspection of the premises, the individual suffering from pulmonary tuberculosis or consumption is so isolated that he does not come in contact with any milk, cream or other milk products, groceries, vegetables, meats or other foodstuffs offered for sale, barter, exchange or distribution and does not come into the room or rooms in which such foodstuffs are stored, held or offered for sale, barter, exchange or distribution, and where all other precautionary measures are carried out in such a way as to safeguard the public and the members of the household, the health officer, may, at his discretion, modify the provisions of this paragraph.

A person suffering from pulmonary tuberculosis or consumption will not be permitted to engage in any manner in the handling or preparation of foodstuffs, milk or milk products, groceries, vegetables or meats until it has been ascertained that such person is not an open case and is in no danger of spreading the infection.

RULE 8. Exclusion from schools.—No person suffering from open pulmonary tuberculosis or consumption as defined in rule 5 shall be employed as a teacher in any school nor shall such a tuberculous or consumptive person be employed or be permitted to serve in any capacity in or about a school building.

No child or young person suffering from open pulmonary tuberculosis or consumption shall be permitted to attend school or mingle with other children in or about school buildings.

RULE 9. Nurses.—No person suffering from open pulmonary tuberculosis or consumption, as defined in rule 5, shall engage in the nursing, attendance or care of young children or of sick persons.

RULE 10. Notification of death or removal.—It is the duty of the owner or agent of any premises in which a patient suffering from pulmonary tuberculosis or consumption has resided, to promptly notify the local health officials of the death or removal of the tuberculous person or consumptive and such owner or agent shall not rent, lease or sell such premises or permit same to be occupied by any other person or persons than the family or household of the tuberculous person or consumptive until the premises have been disinfected as hereinafter provided.

RULE 11. Disinfection.—Upon the removal of a person suffering from pulmonary tuberculosis or consumption, either by arrest of the disease, by death or by removal to other premises, the sick room and all other rooms that have been occupied by the tuberculous person or consumptive shall be disinfected. The room or rooms must be thoroughly aired and all woodwork thoroughly scrubbed and the walls cleaned. The bed clothing must be disinfected by boiling or by immersion in an approved disinfectant. Grossly soiled articles, which can not be disinfected by the usual methods, should be burned.

Typhus Fever—Notification of Cases—Precautions by Physician or Attendant—Delousing—Placarding—Quarantine—Removal of Infected Persons—Disinfection—Notification of Persons or Premises Infested with Body Lice—Quarantine—Placarding. (Reg. Bd. of H., Jan. 1, 1917.)

RULE 1. Reports.—Every physician, attendant, parent, householder, or other person having knowledge of a known or suspected case of typhus fever must immediately report the same to the local health authorities.

The local health authorities upon receipt of such report shall immediately report the same by telegraph or telephone to the State board of health and shall proceed to enforce the rules as hereinafter provided.

Note 1.—A brief description of the disease as commonly observed in the United States is here given (Brill, Pierce, Anderson). A feeling of malaise, fatigue, anorexia and dull headache lasting from a few hours to as long as 14 days (very rarely) (Brill) commonly precedes the acute symptoms. The usual period of prodromes is about one or two days. Frequently it is entirely absent.

The onset is usually abrupt and is most constantly marked by fever and headache. Chills are very common at first but are not constant. The fever reaches its height within three days and remains quite constantly high, seldom remitting more than one degree between evening and morning. It is usually 103 or 104 though lower and occasionally higher temperatures are seen. The fall is usually by crisis, i. e., within 24 hours, or by rapid lysis, i. e., within 48 hours. Brill states that in no case has it required more than 60 hours for the temperature to reach normal. After reaching normal it does not again rise except for a few hours in rare instances.

The headache is very marked (usually intense) and persists throughout the febrile period. Pain in the back and limbs is complained of. There is a very marked mental apathy and confusion. Delirium is common in the epidemic form, uncommon in the milder endemic form (Brill's disease). There is usually considerable deafness.

Pulmonary symptoms are common in the epidemic form, the cases sometimes closely simulating bronchopneumonia. Brill does not mention any pulmonary symptoms in his series.

The most distinctive feature of the disease is the rash. This appears from three to five (possibly seven) days after the onset and is first seen on the abdomen. Thence it spreads rapidly over the back, chest, thighs, legs, arms and forearms. It rarely involves the face and yet more rarely the palms and soles. (Brill.) The rash is maculo-papular, is usually fully out within 24 to 36 hours and remains visible until after the temperature returns to normal. The spots vary from the size of a small match head to the size of a dime, are but slightly raised and have irregular and indistinct outlines. While most or all of the lesions may fade markedly on pressure in the early stages, some fade little if at all. As time passes fewer and fewer disappear on pressure, the eruption becoming petechial as it grows older.

The tongue is coated at first. In all except the mild cases it becomes dry and brown later.

The pulse usually rises with the temperature though in the first few days this may not be noticeable. The patients even in mild cases appear very sick during the febrile period. The disease usually runs its course in 12 to 16 days terminating as stated above by crisis or rapid lysis. Convalescence is usually rapid and relapses are unknown.

RULE 2. Any physician, nurse or other person, who attends a case known or suspected to be typhus fever shall take such precautions as may be necessary to prevent infected body lice gaining access to his or her clothing.

Note 2 (a).—Typhus fever is transmitted from persons sick with the disease to susceptible persons by the body louse (*Pediculus vestimenti*). It is possible that the head louse (*Pediculus capitis*) occasionally transmits the disease. The crab louse (*Pediculus pubis*) never does. It is not known to be transmitted by any other means in nature and preventive measures based on "delousing" procedures have proven adequate. The disease has been transmitted experimentally from cases during the entire febrile period and 6 hours after a return to normal temperature. While louse transmission experiments have been successful only during the febrile period, yet the possibility of later infection should not be disregarded. Previous to delousing procedures and the placing of the patient in a vermin free environment, the physician and attendants should take the following precaution

(b) A clean washable outer garment with short (elbow) sleeves should be worn. The sleeves should be closely sealed with adhesive tape above the elbows and the hands and forearms up to the tape should be bared and oiled with kerosene. As additional precautions the shoes may be immersed in kerosene or a narrow band of Canada Balsam or other sticky substance smeared around the waist of the shoes. The bottoms of the trousers should be sealed tightly to the shoe with adhesive tape. If there are no carpets, the floor may be saturated with 50 per cent emulsion of kerosene in soapsuds. A 5 per cent ointment of naphthalin in vaselin may be applied to the neck or kerosene alone may be used. The outer garment, tapes, etc., should be removed outside the house. The tapes should be burned and the outer garment immersed in gasoline (out of doors, remember!) or sprinkled with gasoline or kerosene and enclosed in a tight box, or the garment may be ironed with a hot iron or boiled for 10 minutes. Dry heat is more efficacious than moist. Phenol solutions in ordinary strengths are not efficacious.

RULE 3. Any physician attending a known or suspected case of typhus fever shall instruct the patient and other members of the family in the measures necessary to destroy lice on or about the patient, his clothing and environment: *Provided*, That where the local health authorities are competent to discharge this duty the same shall devolve upon them. Such measures shall include the following as minimum requirements.

(a) The clothing of the patient and of all contacts shall be removed and immediately placed in a tub, washboiler or other suitable receptacle which has been rubbed on the inside with kerosene and be boiled or completely submerged in gasoline (out of doors). Boiling must be continued for at least 10 minutes; submersion in gasoline must be for at least 2 minutes. Shoes, belts and other leather goods and fabrics that may be damaged by boiling should be treated by immersion in gasoline for two minutes. *Use gasoline only in the open air away from any flame.*

(b) The head and entire body of the patient and of contacts shall be bathed with (1) kerosene, or (2) a 50 per cent emulsion of kerosene in soapsuds, or (3) a 50 per cent emulsion of kerosene in vinegar. The last named method (3) is effective in removing nits but is difficult to keep properly mixed. Following this the bed clothing of the patient shall be changed, a soap and water bath given following which clean louse-free clothing shall be put on.

(c) Following the delousing procedures specified in paragraphs (a) and (b) the patient shall be removed to a louse-free room or hospital subject to the provisions of rule 7. Such room shall thereafter be kept vermin free by daily treatment of the floor with kerosene and by repeating the procedures specified in paragraph (b) every fourth day.

(d) Following the removal of the patient as specified in paragraph (c) the room which has been occupied by the patient shall be deloused. The floors and the woodwork to a height of 4 feet should be given a preliminary treatment of kerosene if this has not already been done (rule 2, (b)). Washable goods shall be boiled, sterilized with steam (for 30 minutes), treated with dry heat (180° F. for 20 minutes), or immersed in gasoline for two minutes—or all clothing, bedding and other fabrics may be placed in heavy muslin, cretonne or other closely woven cloth bags, the opening of which shall be securely closed, tied and saturated with kerosene after which it may be transported to a dry cleaning establishment under the direct surveillance of an officer of the State board of health—and there immersed for not less than two minutes in gasoline, naphtha or distillate. Where capacious steam sterilizing or dry heating chambers are not available, mattresses shall be burned or fumigated with sulphur (dioxide) using 4 pounds of sulphur to each 1,000 cubic feet of air space. Bedding and other non-washable articles may be similarly treated.

Precautions.—Articles treated with dry heat or sulphur (dioxide) must be suspended so that all surfaces are exposed to the heated air or the gas. See that for sulphur fumigation all crevices are properly sealed (see pp. 7 and 12 circular on disinfection). Do not use added moisture for destroying lice or other insects.

Do not use gasoline or other volatile hydrocarbons indoors. A disastrous explosion may result.

Prior to the return of articles removed from the house the floors, woodwork, beds, and bunks shall be mopped or sprayed with kerosene.

RULE 4. Whenever a case of suspected typhus fever is reported to the local health authorities they shall affix at the outside of all entrances to the building, house, flat or bunk car, as the case may be, a warning card not less than 10 by 15 inches in size, on which shall be printed in black with bold-faced type, at least the following: "Typhus fever" in type not less than 3½ inches in height, and "Keep out" in similar type not less than 2½ inches in height. Defacement of such placards, or their removal by any other than the local health authorities, or the duly authorized representatives of the State board of health is strictly prohibited.

RULE 5. All cases of typhus fever shall be quarantined until two days after the temperature of the patient shall have returned to normal. Persons who have been exposed to typhus fever shall be quarantined for two weeks following the delousing procedures specified in rule 3, subject to the condition that they shall have since been domiciled in vermin-free quarters, shall not have been exposed to typhus fever after the delousing procedures and shall be found free from vermin after the expiration of the above mentioned period of two weeks: *Provided*, That in the discretion of a representative of the State board of health contacts may be permitted to work subject to the condition that they shall be strictly prevented from coming in contact with persons not included in the "contact" quarantine or with objects which may be infested with lice.

All persons continuing to reside on the infected premises shall be confined to the infected building, house or apartment until quarantine has been raised, excepting as herein elsewhere provided.

No one but the necessary attendant, the physician, the health officer and the representative of the State board of health may be permitted to enter or leave the infected premises. They must take all precautions necessary to prevent the spread of the disease. The nursing attendant may leave the premises only in cases of absolute necessity. Quarantine may be terminated only by the local health authorities, or by a duly authorized representative of the State board of health.

Note 5.—This rule is designed to prevent the spread of the disease by—

- (a) Preventing the reinfestation of the patient during the febrile period which is the infectious period;
- (b) The reinfestation of contacts who may become ill with typhus during the incubation period thus infecting many lice and possibly thereby other contacts.

RULE 6. Removals.—No person affected with typhus fever shall be removed from the premises upon which he is found, unless consent to such removal be first obtained from the local health authorities or the State board of health, and then only after strict compliance with the provisions of these rules.

No person affected with typhus fever shall be removed from any city, village, township or county in which he is found unless consent to such removal be first obtained from the State board of health.

RULE 7. Whereas typhus fever has been introduced into Illinois and in all probability will be reintroduced from time to time despite the precautions that are being used against it, and whereas there is great danger of its rapid spread when body lice are present, the State board of health hereby declares the body louse (*Pediculus vestimenti*) a menace to public health.

Physicians, nurses, employees, lodging-house keepers, section foremen, teachers, or other persons having knowledge that any person, persons, or premises are infested with body lice shall forthwith report the name and location of such persons or the location of such premises. Local health authorities shall quarantine any person or premises known to be so infested until the delousing procedures specified in rule 3 have been carried out under the supervision of the local health authorities. Placards not less than 10 by 15 inches in size, bearing the word "Pediculosis," printed in black with bold-face type not less than 3½ inches high, shall be affixed at the outside entrances of the house, flat, tenement, bunk car or other habitation so quarantined. No such placards shall be defaced or removed by any other than the local health authorities or the duly authorized representative of the State board of health.

RULE 8. Disinfection.—Terminal disinfection for typhus fever is not required. The local health authorities shall see, however, that the delousing procedures prescribed in rule 3 are effectively carried out at the time of establishing quarantine. Terminal delousing procedures identical with those prescribed in rule 3 shall be performed if any possibility of reinfestation shall have occurred during the period quarantined.

Measles—Quarantine. (Reg. Bd. of H., Mar. 24, 1917.)

[The last two paragraphs of rule 3 of the regulations of the State board of health pertaining to measles, effective Feb. 16, 1915, Public Health Reports Reprint 338, page 195, have been amended to read as follows:]

Quarantine of patient must be maintained for 14 days from date of report and until all infectious discharges from nose, ears and throat have disappeared and the cough has ceased: *Provided however*, That if there are no other susceptibles in the family and the patient is free from infectious discharges, the quarantine may be raised by the health officer whenever the patient's temperature has been normal for 48 hours.

Adult members of the family who have had the disease and who comply with the foregoing provisions may go about their usual business.

Venereal Diseases—Notification of Cases—Placarding—Quarantine—Investigation—Control. (Reg. Dept. of Pub. H., Nov. 1, 1917.)

1. *Reports.*—Every physician, nurse, attendant, hospital superintendent, druggist or other person having knowledge of a known or suspected case of venereal disease (syphilis in the infectious stages, gonococcus infection, or chancroid) must immediately report the same to the local health authorities, the report to be in accordance with the following form and setting forth at least the information therein provided for:

(Form of report.)

REPORT OF VENEREAL DISEASE.

(To be treated as confidential so far as is consistent with public safety and the Rules for the Control of Venereal Diseases.)

(1).....,191..
(City.) (Date.)

The undersigned hereby reports a

- (2) Case of; (3) Laboratory findings,;
(Name of disease.) (Pos. Neg. None.)
- (4) Name of patient.....;
(Case or key number may be given instead of correct name under certain circumstances. See rule 1, Rules for Control of Venereal Diseases in Illinois.)
- (5) Sex.....; (6) Color.....; (7) Age.....years;
- (8) Single, married, widowed, divorced.....;
- (9) Address of patient.....;
(Street and house number may be omitted under certain circumstances, but name of city, town, or village must be given in accordance with rule 1.)
- (10) Is living at home, in boarding house, hotel, hospital, or elsewhere?
(Specify which.)
- (11) Occupation.....;
- (12) Employer.....; (13) Address.....;
(Name and address of employer may be omitted under certain circumstances, in accordance with rule 1.)
- (14) Does patient handle milk, milk products, or foodstuffs?.....;
- (15) Has patient discontinued employment?.....;
- (16) Probable source of infection.....;
(Where a prostitute is the probable source of infection, give name and address in full.)
- (17) Probable date of infection.....;
- (18) Other known cases contracted from the same source.....;
(State number of cases.)
- (19) Is patient regularly under treatment with you?.....;

Signed.....M. D.
(Attendant.)

Address.....
(Of attendant.)

The requirements as to information asked for in the foregoing form may be modified only under the following circumstances and then only as hereinafter set forth:

Whenever, in the opinion of the local health authorities, public welfare does not require that certain information hereinafter specified in this paragraph be given in the report, and the health of others is not likely to be endangered by the suppression of such information, and when (a) the patient is not a prostitute but is of good repute in the community, (b) the patient is regularly under the care of a reputable physician, (c) the physician gives the patient full and proper instructions in the rules for the control of venereal diseases and in the precautions which must be taken to prevent the spread of the infection, placing in the hands of the patient copies of the Rules for the Control of Venereal Diseases in Illinois and of the booklet of advice and information on venereal diseases published by the State department of public health, (d) the patient gives undoubted assurance of the faithful observance of all such rules and necessary precautions, and (e) the physician assumes responsibility for the faithful observance of the rules and all necessary precautions by his patient, then the correct name, explicit address of the patient, and the name and address of employer may be omitted from the report: *Provided, however,* That in the event of the infected or supposedly infected person being attached to the military or naval service of the State or Federal Government, then the correct name of the patient may be omitted from the report to the local health authority only on condition that the attendant or person having knowledge of the case shall have previously advised the medical officer of the military or naval establishment to which the patient belongs, of the correct name of the patient and the nature or supposed nature of his disease.

Whenever the patient's correct name and explicit address are omitted from the report in accordance with the conditions stated in the foregoing paragraph, the physician's case number or a "key number" by which the person reporting the case can definitely identify the same, shall be given in the report in lieu of the correct name, and the health jurisdiction (city, village, or township, as the case may be) may be indicated by name of such community, without reference to street or house number.

Whenever the name and address of the employer is omitted from the report, and the patient is employed in a food handling establishment or in any capacity wherein there is danger of imparting the infection to others, the patient shall discontinue such employment during the period the disease is infectious, and the physician assuming responsibility for the case shall see that this requirement is observed. All other items asked for in the report shall be fully and correctly supplied.

All local health authorities upon being advised of a case of venereal disease, must immediately report the same to the State department of public health on the form prescribed for that purpose. Whenever a reported case involves a person attached to the military or naval services of the State or Federal Government, the local health authority receiving such report shall immediately advise the medical officer, of the military or naval organization to which the patient belongs, giving the name of patient, nature of disease and other data as said medical officer may desire.

Local health authorities upon being advised of a case of venereal disease in any person who is unable to pay for the necessary medicines and medical attention, shall report the case to the overseer of the poor in order that medicines and medical attention may be supplied at the expense of the county.

Reports of venereal diseases made in accordance with these rules shall be treated by local health authorities and by the State department of public health as confidential information, so far, at least, as this is consistent with public safety and the requirements of these rules.

2. *Placarding.*—Whenever a case or suspected case of venereal disease is found on premises used for immoral purposes, or upon premises where the case can not be properly isolated or controlled, and when the infected person will not consent to removal to a hospital or sanitorium where he or she can be properly isolated and con-

trolled during the period of infectiousness, the premises on which he or she continues to reside shall be placarded in the following manner: A red card not less than 11 by 14 inches, bearing the inscription, "Venereal disease here, keep out," printed in black with bold face type not less than 3½ inches in height, shall be affixed in a conspicuous place at each outside entrance of the building, house or flat, as the case may be.

Defacement or concealment of such placards or their removal by any other than the local health authorities or the duly authorized representatives of the State department of public health is strictly prohibited.

3. *Isolation and control of patient.*—All cases of venereal diseases shall be subject to such control as will assure public safety. All persons having venereal disease are strictly prohibited from exposing others to the infection. Visitors are prohibited from entering premises placarded for venereal diseases and each infected or supposedly infected person residing on premises so placarded is prohibited from leaving such premises excepting with permission of the local health authority or the State department of health.

Responsibility for the proper control of a case in which the correct name and the explicit address is not reported to the local health authorities, under the provisions of rule 1, shall rest upon the attending physician, who shall exercise extraordinary diligence to see that the infected person shall not expose others to the infection. When the attendant has reason to believe that the infected person is not taking the precautions necessary to prevent the spread of the disease, the attendant shall immediately place the correct name and address of the infected person in the hands of the local health authorities in order that proper control may be enforced by the local health authorities.

The control of fully reported cases shall rest with the local health authorities in cooperation with the attending physician.

The period of control in all cases shall continue throughout the period of infectiousness of the disease. (Cases of gonococcus infection are to be regarded as infectious until at least two successive smears taken not less than 48 hours apart fail to show gonococci. Cases of syphilis shall be regarded as infectious until all lesions of the skin or mucous membranes are fully healed. Cases of chancroid shall be regarded as infectious until all lesions are fully healed.)

Whenever possible cases of venereal diseases should be removed to a hospital for treatment.

Any person having a venereal disease shall not be removed from, and is prohibited from moving out of, one health jurisdiction into another without first securing permission to do so from the local health authorities of the place from which removal is to be made, or from a duly authorized agent of the State department of public health, and such permission may be granted only under the following conditions: (1) The object of the proposed removal shall be deemed by the issuing health officer as urgent and legitimate, and not for the purpose of relieving one community of an undesirable burden at the expense of another; (2) removal can and will be made without endangering the health of others, either in transit or at destination; (3) patient agrees to place self under care of reputable physician (to be named in removal permit) on arrival at destination and attending physician assumes responsibility for fulfilment of this agreement; (4) removal shall not begin until 24 hours after notice of removal has been forwarded by first-class mail to the health officer at proposed destination of the venereally infected person, which notice shall be of the following form, made out and signed by the health authority granting permission for removal

CASE OF VENEREAL DISEASE—REMOVAL PERMIT.

(To be forwarded by the issuing health officer by first-class mail at least 24 hours prior to hour set for beginning travel by patient.)

....., 191..
 (City.) (Date.)

To the local health officer
 At.....
 (Destination of patient.)

Under authority of and in compliance with the Rules for the Control of Venereal Diseases in Illinois, permission has been granted for the removal of the following described case of venereal disease:

From..... To.....
 Beginning travel..... Hour..... {A. M.
 (Date.) (P. M.)

Name of patient.....
 ("Key number" may be given in place of name, when patient agrees to place self under care of reputable physician on arrival at destination, provided that attending physician will assume responsibility for fulfillment of such an agreement. See rule 1 and rule 3 of Rules for the Control of Venereal Diseases in Illinois.)

Sex.....; Color.....; Age.....yrs.
 Occupation.....
 Character of disease.....
 Will be under care of.....
 (Full name of physician at destination.)

Address of physician.....
 (At destination.)

Address of patient.....
 (At destination.)
 (Address of patient may be omitted only when "key number" is given in place of name, in accordance with rules 1 and 3 of the Rules for the Control of Venereal Diseases in Illinois.)

Purpose of visit:.....
 (Signed), Health Officer.
 Address.....

Health officer at destination of the patient so removed shall require the recipient physician to file a report of the case on the form prescribed in rule 1 of these rules.

4. *Prohibited occupations.*—The preparation, manufacture, or handling of milk, milk products, or other foodstuffs by any person afflicted with an infectious venereal disease is strictly prohibited, and persons so afflicted shall not be employed in any milk-products or food-manufacturing or food-handling establishments.

Persons afflicted with infectious venereal diseases shall not be engaged in the care or nursing of children or of the sick, nor shall they engage in any occupation the nature of which is such that their infection may be borne to others.

5. *Investigations.*—It shall be the duty of all local health authorities to use all reasonable means to ascertain the existence of infectious venereal diseases within their respective jurisdictions, to investigate all cases that are not under the care of reputable physicians, and those of which no reports have been filed with them, and to ascertain so far as possible the sources of infection and all exposures to the same. They shall use all lawful means to make or cause to be made examinations of all such persons who may be reasonably suspected of having syphilis in the infectious stages, chancroid, or gonococcus infection. (The prevalence of such diseases among prostitutes warrants the inclusion of these within the suspected class.) In making an examination of a woman for the purpose of determining the existence of venereal disease, a woman physician should be appointed for such purpose when so requested by the person examined.

6. *Definitions.*—The term "venereal diseases" as used in these rules shall be construed to mean (a) syphilis in the infectious stages, (b) chancroid, and (c) active gonococcus infection.

The term "prostitute" used in these rules shall be construed to mean a person known to be practicing sexual intercourse promiscuously.

State Department of Public Health—Organization, Powers, and Duties. (Act Mar. 7, 1917.)

SECTION 1. This act shall be known as "The Civil Administrative Code of Illinois."

SEC. 2. The word "department," as used in this act, shall, unless the context otherwise clearly indicates, mean the several departments of the State government as designated in section 3 of this act, and none other.

SEC. 3. Departments of the State government are created as follows: * * * The department of public health; * * *

SEC. 4. Each department shall have an officer at its head who shall be known as a director, and who shall, subject to the provisions of this act, execute the powers and discharge the duties vested by law in his respective department.

The following offices are hereby created: * * * Director of public health, for the department of public health; * * *

SEC. 5. In addition to the directors of departments, [there shall be ?] the following executive and administrative officers, boards and commissions, which said officers, boards and commissions in the respective departments, shall hold offices hereby created and designated as follows: * * *

In the department of public health: Assistant director of public health; superintendent of lodging house inspection. * * *

SEC. 6. Advisory and nonexecutive boards, in the respective departments, are created as follows: * * *

In the department of public health: A board of public health advisors, composed of five persons. * * *

The members of each of the above named boards shall be officers.

SEC. 7. * * * The director of public health shall be a person licensed to practice medicine and surgery in this State and shall have had at least five years' practical experience in the practice of medicine and surgery in this State and at least six years' practical experience in public health work.

The assistant director of public health shall be a person licensed to practice medicine and surgery in this State and shall have had at least five years' practical experience in the practice of medicine and surgery in this State and at least three years' practical experience in public health work. * * *

SEC. 8. Each advisory and nonexecutive board, except as otherwise expressly provided in this act, shall, with respect to its field of work, or that of the department with which it is associated, have the following powers and duties:

1. To consider and study the entire field; to advise the executive officers of the department upon their request; to recommend, on its own initiative, policies and practices, which recommendations the executive officers of the department shall duly consider, and to give advice or make recommendations to the governor and the general assembly when so requested, or on its own initiative;

2. To investigate the conduct of the work of the department with which it may be associated, and for this purpose to have access, at any time, to all books, papers, documents, and records pertaining or belonging thereto, and to require written or oral information from any officer or employee thereof;

3. To adopt rules not inconsistent with law, for its internal control and management, a copy of which rules shall be filed with the director of the department with which such board is associated;

4. To hold meetings at such times and places as may be prescribed by the rules, not less frequently, however, than quarterly;

5. To act by a subcommittee, or by a majority of the board, if the rules so prescribe;

6. To keep minutes of the transactions of each session, regular or special, which shall be public records and filed with the director of the department;

7. To give notice to the governor and to the director of the department with which it is associated of the time and place of every meeting, regular or special, and to permit the governor and the director of the department to be present and to be heard upon any matter coming before such board.

SEC. 9. The executive and administrative officers whose offices are created by this act shall receive annual salaries, payable in equal monthly installments, as follows:

* * *

In the department of public health: The director of public health shall receive \$6,000; the assistant director of public health shall receive \$3,600; the superintendent of lodging house inspection \$3,000. * * *

SEC. 10. No member of an advisory and nonexecutive board shall receive any compensation.

SEC. 11. Each executive and administrative officer, except the two food standard officers, the members of the mining board, and the members of the normal school board shall devote his entire time to the duties of his office and shall hold no other office or position of profit.

SEC. 12. Each officer whose office is created by this act shall be appointed by the governor, by and with the advice and consent of the senate. In any case of vacancy in such offices during the recess of the senate, the governor shall make a temporary appointment until the next meeting of the senate, when he shall nominate some person to fill such office; any person so nominated, who is confirmed by the senate, shall hold his office during the remainder of the term and until his successor shall be appointed and qualified. If the senate is not in session at the time this act takes effect, the governor shall make a temporary appointment as in case of a vacancy.

SEC. 13. Each officer whose office is created by this act, except as otherwise specifically provided for in this act, shall hold office for a term of four years from the second Monday in January next after the election of a governor, and until his successor is appointed and qualified. * * *

SEC. 14. Each officer whose office is created by this act shall, before entering upon the duties of his office, take and subscribe the constitutional oath of office, which shall be filed in the office of the secretary of state.

SEC. 15. Each executive and administrative officer whose office is created by this act shall, before entering upon the discharge of the duties of his office, give bond, with security to be approved by the governor, in such penal sum as shall be fixed by the governor, not less in any case than \$10,000, conditioned for the faithful performance of his duties, which bond shall be filed in the office of the secretary of state.

SEC. 16. The director of each department is empowered to prescribe regulations not inconsistent with law, for the government of his department, the conduct of its employees and clerks, the distribution and performance of its business and the custody, use and preservation of the records, papers, books, documents, and property pertaining thereto.

SEC. 17. Each department shall maintain a central office in the capitol building at Springfield, in rooms provided by the secretary of state. The director of each department may, in his discretion and with the approval of the governor, establish and maintain, at places other than the seat of government, branch offices for the conduct of any one or more functions of his department.

SEC. 18. Each department shall be open for the transaction of public business at least from 8.30 o'clock in the morning until 5 o'clock in the evening of each day except Sundays and days declared by the negotiable instrument act to be holidays.

SEC. 19. Each department shall adopt and keep an official seal.

SEC. 20. Each department is empowered to employ, subject to civil service laws in force at the time the employment is made, necessary employees, and, if the rate of compensation is not otherwise fixed by law, to fix their compensation.

SEC. 21. All employees in the several departments shall render not less than seven and one-half hours of labor each day, Saturday afternoons, Sundays and days declared by the negotiable instrument act to be holidays excepted in cases in which, in the judgment of the director, the public service will not thereby be impaired.

SEC. 22. Each employee in the several departments shall be entitled during each calendar year to 14 days' leave of absence with full pay. In special and meritorious cases where to limit the annual leave to 14 days in any one calendar year would work peculiar hardship, it may, in the discretion of the director of the department, be extended.

SEC. 23. No employee in the several departments, employed at a fixed compensation, shall be paid for any extra services, unless expressly authorized by law.

SEC. 24. Nothing in this act shall be construed to amend, modify, or repeal the State civil service law, or to extend the application thereof to any position created by this act where the duties to be performed under such position do not now exist or are now performed by an officer or employee not in the classified civil service of the State. Every officer and employee in the classified civil service at the time this act takes effect shall be assigned to a position in the proper department created by this act, having, so far as possible, duties equivalent to his former office or employment, and such officers and employees shall be employees of the State in the classified civil service of the State, of the same standing, grade and privileges which they respectively had in the office, board, commission or institution from which they were transferred, subject, however, to existing and future civil service laws. This section shall not be construed to require the retention of more employees than are necessary to the proper performance of the functions of the departments.

SEC. 25. Each director of a department shall annually on or before the first day of December, and at such other times as the governor may require, report in writing to the governor concerning the condition, management and financial transactions of their respective departments. In addition to such reports, each director of a department shall make the semiannual and biennial reports provided by the constitution. The departments shall make annual and biennial reports at the time prescribed in this section, and at no other time.

SEC. 26. The directors of departments shall devise a practical and working basis for cooperation and coordination of work, eliminating duplication and overlapping of functions. They shall, so far as practicable, cooperate with each other in the employment of services and the use of quarters and equipment. The director of any department may empower or require an employee of another department, subject to the consent of the superior officer of the employee, to perform any duty which he might require of his own subordinates.

SEC. 27. The gross amount of money received by every department, from whatever source, belonging to or for the use of the State, shall be paid into the State treasury, without delay, not later in any event than 10 days after the receipt of the same, without any deduction on account of salaries, fees, costs, charges, expenses or claim of any description whatever. No money belonging to, or for the use of, the State shall be expended or applied by any department except in consequence of an appropriation made by law and upon the warrant of the auditor of public accounts.

SEC. 28. In the construction of buildings for the various departments, or in doing other construction work in or about buildings and grounds, exceeding the estimated value of \$1,000, contracts therefor shall be let to the lowest responsible bidder. Supplies for the several departments, except in cases of emergency and in the case of perishable goods, shall be purchased in large quantities and contracts therefor shall be let to the lowest responsible bidder. Advertisements for bids for doing such construction work, or furnishing such supplies, shall be published for at least three days, the first and last of which publications shall be at least 10 days apart, in one or more newspapers of general circulation published in each of the seven largest cities of the State determined by the then last preceding Federal census, and, also, in one secular English

newspaper selected by the department of public works and buildings by competitive bidding in the same manner as it is herein provided other contracts may be let and designated as an "official newspaper," which newspaper so selected shall continue to be the official newspaper for a period of one year from the time of its selection. The proposals shall be publicly opened on the day and hour and at the place mentioned in the advertisement and any and all bids may be rejected and when rejected a re-advertisement shall be made in the manner above provided.

* * * * *

SEC. 31. Whenever in this act power is vested in a department to inspect, examine, secure data or information, or to procure assistance from another department, a duty is hereby imposed upon the department upon which demand is made, to make such power effective.

SEC. 32. Whenever rights, powers and duties, which have heretofore been vested in or exercised by any officer, board, commission, institution or department, or any deputy, inspector or subordinate officer thereof, are, by this act, transferred, either in whole or in part, to or vested in a department created by this act, such rights, powers and duties shall be vested in, and shall be exercised by, the department to which the same are hereby transferred, and not otherwise, and every act done in the exercise of such rights, powers and duties shall have the same legal effect as if done by the former officer, board, commission, institution or department, or any deputy, inspector or subordinate officer thereof. Every person and corporation shall be subject to the same obligations and duties and shall have the same rights arising from the exercise of such rights, powers and duties as if such rights, powers and duties were exercised by the officer, board, commission, department or institution, or deputy, inspector or subordinate thereof, designated in the respective laws which are to be administered by departments created by this act. Every person and corporation shall be subject to the same penalty or penalties, civil or criminal, for failure to perform any such obligation or duty, or for doing a prohibited act, as if such obligation or duty arose from, or such act were prohibited in, the exercise of such right, power or duty by the officer, board, commission, or institution, or deputy, inspector or subordinate thereof, designated in the respective laws which are to be administered by departments created by this act. Every officer and employee shall, for any offense, be subjected to the same penalty or penalties, civil or criminal, as are prescribed by existing law for the same offense by any officer or employee whose powers or duties devolved upon him under this act. All books, records, papers, documents, property, real and personal, unexpended appropriations, and pending business in any way pertaining to the rights, powers and duties so transferred to or vested in a department created by this act, shall be delivered and transferred to the department succeeding to such rights, powers and duties.

SEC. 33. Wherever reports or notices are now required to be made or given, or papers or documents furnished or served by any person to or upon any officer, board, commission, or institution, or deputy, inspector or subordinate thereof, abolished by this act, the same shall be made, given, furnished, or served in the same manner to or upon the department upon which are devolved by this act the rights, powers and duties now exercised or discharged by such officer, board, commission, or institution, or deputy, inspector or subordinate thereof; and every penalty for failure so to do shall continue in effect.

SEC. 34. This act shall not affect any act done, ratified or confirmed, or any right accrued or established, or any action or proceeding had or commenced in a civil or criminal cause before this act takes effect; but such actions or proceedings may be prosecuted and continued by the department having jurisdiction, under this act, of the subject matter to which such litigation or proceeding pertains.

SEC. 35. The following offices, boards, commissions, arms, and agencies of the State government heretofore created by law, are hereby abolished, viz: * * *
State board of health, secretary and executive officer of the State board of health,

* * * * *

THE DEPARTMENT OF PUBLIC HEALTH.

SEC. 55. The department of public health shall have power:

1. To exercise the rights, powers and duties vested by law in the State board of health, its secretary and executive officer, other officers and employees, except the rights, powers and duties vested by law in the State board of health under the act to regulate the practice of medicine and the act to regulate the practice of embalming;

2. To have the general supervision of the interests of the health and lives of the people of the State;

3. To act in advisory capacity relative to public water supplies, water purification works, sewerage system, and sewage treatment works, and to exercise supervision over nuisances growing out of the operation of such water and sewage works, and to make, promulgate and enforce rules and regulations relating to such nuisances;

4. To make such sanitary investigations as it may, from time to time, deem necessary for the preservation and improvement of public health;

5. To make examinations into nuisances and questions affecting the security of life and health in any locality in the State;

6. To maintain chemical, bacteriological and biological laboratories, to make examinations of milk, water, sewage, wastes, and other substances, and to make such diagnosis of diseases as may be deemed necessary for the protection of the people of the State.

7. To purchase and distribute free of charge to citizens of the State diphtheria antitoxin, typhoid vaccine, smallpox vaccine and other sera, vaccines and prophylactics such as are of recognized efficiency in the prevention and treatment of communicable diseases;

8. To obtain, collect and preserve such information relative to mortality, morbidity, disease and health as may be useful in the discharge of its duties or may contribute to the promotion of health or to the security of life in this State;

9. To make investigations and inquiries with respect to the causes of disease, especially epidemics, and to investigate the causes of mortality and the effect of localities, and other conditions upon the public health, and to make such other sanitary investigations as it may deem necessary for the preservation and improvement of the public health;

10. To keep informed of the work of local health officers and agencies throughout the State;

11. To promote the information of the general public in all matters pertaining to public health;

12. To supervise, aid, direct and assist local health authorities or agencies in the administration of the health laws;

13. To enlist the cooperation of organizations of physicians and other agencies for the promotion of the public health in the improvement of health and sanitary conditions throughout the State;

14. To make sanitary, sewage, health and other inspections and examinations for the charitable, penal and reformatory institutions and the normal schools;

15. To inspect, from time to time, all hospitals, sanitarium, and other institutions conducted by county, city, village or township authorities, and to report as to the sanitary conditions and needs of such hospitals, sanitarium and institutions to the official authority having jurisdiction over them;

16. To print, publish and distribute documents, reports, bulletins, certificates and other matter relating to the prevention of diseases and the health and sanitary condition of the State.

* * * * *

Public Health Districts—Organization—Members, Powers, and Duties of Boards of Health—Powers and Duties of Health Officers—Taxes. (Act June 26, 1917.)

SECTION 1. Any town, or two or more adjacent towns in counties under township organization, or any road district, or two or more road districts in counties not under township organization, or any town or towns in a county under township organization and an adjacent road district or road districts in a county not under township organization, may be organized into a public health district.

SEC. 2. Upon a petition containing the signatures of legal voters in number not less than 5 per cent of the total vote cast in any town or road district, and filed with the town or road district clerk at least 30 days before the regular town or road district election, the proposition of erecting such town or road district into a public health district shall be submitted to a vote of the people at the next regular town or road district election in the manner provided by this act.

SEC. 3. Upon a petition requesting that two or more adjacent towns or road districts be erected into a health district and containing the signatures of legal voters in number not less than 5 per cent of the total vote cast in each of two or more adjacent towns or road districts and filed with the county clerk at least 30 days before the regular town or road district election, the proposition of erecting such towns or road districts, or town and road district, into a public health district shall be submitted to a vote of the people of such towns or road districts at the next regular town or road district election in the manner provided by this act.

Where the towns or road districts desiring to be erected into a health district are in two or more counties, the petition shall be filed with the county clerk of the county in which the greater population of the proposed health district is located.

SEC. 4. Upon the filing of such petition with the town or road district clerk, the town or road district clerk shall, when giving notice of the holding of the next regular town or district election, also give notice that a vote will be taken at the regular town or district election for or against the proposition of the erection of the town or road district into a public health district.

SEC. 5. Upon the filing of such petition with the county clerk, such county clerk shall, at least 20 days prior to the regular town or district election, certify to the town or district clerk of each town or road district, petitions for which are on file in his office requesting that such towns or road districts be erected into a public health district, that the proposition of erecting such towns or road districts (naming them) will be submitted to a vote of the people of the towns or road districts at the regular town or road district election. The town or district clerk shall, when giving notice of the holding of the next regular town or district election, also give notice that a vote will be taken at the town or district election for or against the erection of the towns or road districts (naming them) into a public health district.

SEC. 6. The proposition shall be voted upon in the same manner as a constitutional amendment or other public measure.

When the proposition to be voted upon is to erect a town or road district into a public health district, the proposition may be substantially in the following form:

Shall this (town or road district) be erected into a public health district?	YES	
	NO	

When the proposition to be voted upon is to erect two or more adjacent towns or road districts into a public health district, the proposition may be substantially in the following form:

Shall this (town or road district) unite with the (town or road district) of to form a public health district?	Yes	
	No	

SEC. 7. When the proposition voted upon is to erect a single town or road district into a public health district, such proposition shall be carried if a majority of those voting upon the proposition shall vote "yes."

When the proposition voted upon is to erect two or more adjacent towns or road districts into a health district, such proposition shall be carried if the majority of those voting upon the proposition in each town or road district shall vote "yes."

SEC. 8. When the proposition is submitted to the voters of a single town or road district, the ballots shall be counted, the returns canvassed and the result declared as in the case of a regular town or district election.

SEC. 9. When the proposition is submitted to the voters of two or more adjacent towns or road districts, the ballots shall be counted and the returns made to the county clerk of the county wherein the petition was filed as in the case of returns to the county clerk at a general election. The returns shall be opened and canvassed by the county clerk, with the assistance of two justices of the peace of the county, and the result declared.

SEC. 10. The town or district clerk, or the county clerk, as the case may be, shall record the result of the vote upon the proposition and such result may be proved in all courts and in all proceedings by such record or by a certified copy thereof.

SEC. 11. In counties not under township organization the county commissioners shall be the board of health for each public health district in the county.

Where a public health district, in counties under township organization, consists of a single town, the supervisor, assessor and town clerk of such town shall be the board of health for such public health district.

Where a public health district consists of two or more adjacent towns, the supervisors of such towns, together with the chairman of the county board, shall be the board of health for such public health district.

Where a public health district consists of a town or towns in a county under township organization united with a road district or road districts in a county not under township organization, the supervisor or supervisors of the town or towns, together with the road district clerk or road district clerks, shall be the board of health for such public health district.

A majority of the board shall constitute a quorum for the transaction of business.

SEC. 12. The board of health shall meet in some convenient place in the public health district within two weeks after the declaration of the result of the election, and shall elect from their own number a chairman and a secretary, and, either from their own number or otherwise, a treasurer.

SEC. 13. The board of health shall, at its first meeting, select a suitable name for the public health district and file the same with the county clerk, or county clerks, of the county or counties in which the district is located, and thenceforth the public health district shall be a body corporate and shall be known by that name. Upon the filing of such name with the county clerk, or county clerks, the public health district shall be deemed to be completely organized.

SEC. 14. All courts shall take judicial notice of all public health districts organized under this act.

SEC. 15. Each board of health shall have power and it shall be its duty:

1. To hold an annual meeting on the second Tuesday in April of each year, at which meeting officers shall be elected for the ensuing year;

2. To hold meetings quarterly on the second Tuesday of January, April, July and October;

3. To hold special meetings upon a written request signed by two members and filed with the secretary;

4. To levy, annually, in addition to all other taxes which are now or hereafter may be authorized to be levied on the aggregate valuation of all property within the public health district, a special "public health tax," not to exceed 4 mills on the dollar on all taxable property embraced within such public health district, according to the valuation of the same as made for the purpose of State and county taxation, to form, when collected, a fund to be known as the "public health fund;"

5. To appoint a public health officer from a list of eligibles supplied by the State department of public health;

6. To appoint, upon the advice and approval of the public health officer, such nurses, chemists, experts, clerks and assistants as the public health officer may deem necessary;

7. To fix the compensation of the public health officer, which shall in no case be less than \$1,500;

8. To provide, equip and maintain suitable offices, facilities and appliances for the health officer and his assistants;

9. To establish, equip and maintain an analytical, biological and research laboratory;

10. To pay, from the "public health fund" the salary of the public health officer and the salaries of all appointees and employees and the expense of maintenance of the public health department, including therein the expense of administering the sanitation and health laws and ordinances;

11. To acquire and hold, in the name of the public health district, real estate and personal property;

12. To receive contributions of money or property;

13. To publish, annually, on or soon after the second Tuesday in April, in pamphlet form, for free distribution, an annual report showing the conditions of their trust on the first day of April of that year, the sums of money received from taxation and from other sources, giving the name of the donor, how all moneys have been expended and for what purpose, and such other statistics and information in regard to the work of the health department as they may deem of general interest.

SEC. 16. It shall be the duty of the State department of public health to prepare, by open, competitive examination, of which notice shall be given in the "official newspaper," selected by the department of public works and buildings, for at least three weeks prior to the holding of such examination, a list of eligibles for appointment as public health officers.

SEC. 17. The public health officer shall have power, and it shall be his duty:

1. To be the executive officer of the board of health;

2. To enforce and observe the rules, regulations and orders of the State department of public health and all State laws pertaining to the preservation of the health of the people within the public health district;

3. To exercise the rights, powers and duties of all township boards of health and county boards of health within the public health district;

4. To execute and enforce, within the public health district, all city, village and incorporated town ordinances relating to nuisances, public health and sanitation;

5. To investigate the existence of any contagious or infectious disease within the public health district and to adopt measures, with the approval of the State department of public health, to arrest the progress of the same;

6. To make all necessary sanitary and health investigations and inspections within the public health district;

7. To establish a free dental clinic for the benefit of the school children of the district;

8. To give professional advice and information to all city, village, incorporated town and school authorities within the public health district in all matters pertaining to sanitation and public health;

9. To devote his entire time to his official duties.

SEC. 18. In all public health districts all ordinances of cities, villages and incorporated towns lying within such public health district, relating to nuisances, sanitation, and public health, shall be administered by the public health officer appointed pursuant to this act, and not otherwise.

SEC. 19. Each board of health, organized under this act, shall be empowered to issue warrants in anticipation of taxes to the same extent, in the same manner and with like limitations and restrictions as county, city, village and incorporated town authorities.

SEC. 20. Each board of health shall, annually, on or before the first day of August of each year, transmit to the county clerk in which such public health district is located, or if the public health district is located in more than one county, then to the county clerk of each county in which a part thereof is located, a certificate signed by the chairman and treasurer, setting forth the rate or percentage of such taxes by them levied for the purposes herein provided and it shall be, and is hereby made the duty of the county clerk to whom such certificate shall be transmitted, to set down in the general tax warrant of the year for the collection of the State and county taxes, in a separate column to be styled a "public health tax," a tax in amount equal to the sum resulting from the rate or percentage so certified by such board of health upon the real and personal property within such health district, or such part thereof as may be located in his county, according to the valuation of the same as made for the purpose of State and county taxation; and shall set down in each column the amount of tax chargeable to the several persons, corporations, lots or parcels of land, liable for taxes in such public health district according to such rate or percentage, and the collector shall proceed to collect the same in such manner as is now, or may hereafter be provided by law for the collection of State and county taxes; and the provisions of law in respect to collection of State and county taxes, and proceedings to enforce the same, which are now enforced, or which may be hereafter enacted, so far as applicable, shall apply to such taxes; and as fast as such tax shall be collected by the collector or other officer receiving the same, it shall be paid over to such board of health, on the joint order of the chairman and treasurer of the board of health and shall be receipted for by such treasurer. The funds shall be used only for the purposes herein prescribed and shall be disbursed by the treasurer on the joint order of the chairman and secretary. A failure by the board of health to file the certificate with the county clerk in the required time shall not vitiate the assessment.

Sanitary Districts—Organization and Management—Sewage Disposal. (Act June 22, 1917.)

SECTION 1. That whenever any area of contiguous territory shall contain one or more incorporated cities, towns or villages or parts of one or more incorporated cities, towns or villages, and shall be so situated that the construction and maintenance of a plant or plants for the purification and treatment of sewage and the maintenance of a common outlet for the drainage thereof, will conduce to the preservation of the public

health, the same may be incorporated as a sanitary district under this act in the manner following:

Any 100 legal voters, resident within the limits of such proposed sanitary district may petition the county judge of the county in which the proposed district, or the major portion thereof is located, to cause the question to be submitted to the legal voters of such proposed district whether such proposed territory shall be organized as a sanitary district under this act, such petition shall be addressed to said county judge and shall contain a definite description of the boundaries of the territory to be embraced in such district, and the name of such proposed sanitary district: *Provided, however, That* no territory shall be included in any municipal corporation formed hereunder which is not situated within the limits of a city, incorporated town or village, or within 3 miles outside thereof, and no territory shall be included within more than one sanitary district organized under this act or any other act. Upon filing of such petition in the office of the county clerk of the county in which such territory or the major portion thereof is situated, it shall be the duty of the county judge to call to his assistance two judges of the circuit court of the circuit embracing such proposed district or major portion thereof and such said county judge and circuit judges shall constitute a board of commissioners which shall have power and authority to consider the boundaries of any such proposed sanitary district, whether the same shall be as described in such petition or otherwise, and the decision of two of such commissioners shall be conclusive and not subject to review in any manner, directly or indirectly.

Notice shall be given by such county judge of the time and place where such commissioners will meet, by a publication inserted in one or more daily or weekly papers published in such proposed district, at least 20 days prior to such meeting and if no such newspaper is published in such proposed district, then by posting at least five copies of such notice in such proposed district at least 20 days before such hearing.

At such meeting the county judge shall preside and all persons in such proposed district shall have an opportunity to be heard touching the location and boundary of such proposed district and to make suggestions regarding the same, and such commissioners, after hearing statements, evidence and suggestions, shall fix and determine the limits and boundaries of such proposed district, and for that purpose and to that extent may alter and amend such petition. After such determination by said commissioners or a majority of them, the same shall be incorporated in an order which shall be spread at length upon the records of the county court. Upon the entering of such order, the county judge shall submit to the legal voters of the proposed sanitary district, the question of organization and establishment of the proposed sanitary district as determined by said commissioners, at an election to be held within 60 days after the entering of such order, notice whereof shall be given by the county judge at least 20 days prior thereto by publication in one or more daily or weekly papers published within such proposed sanitary district, or if no daily or weekly newspaper is published in such proposed sanitary district, then by posting at least five copies of such notice in said district at least 20 days before such election. Such notice to specify briefly the purpose of such election, with a description of such proposed district, and the time and places for holding such election.

Each legal voter resident within such proposed sanitary district shall have the right to cast a ballot at such election. Ballots at elections held under this section shall be in substantially the following form, to-wit.

For sanitary district.....	
Against sanitary district.....	

The ballots so cast shall be received, returned and canvassed in the same manner and by the same officers as is provided by law, in the case of ballots cast for county officers, except as herein modified. The county judge shall cause a statement of the result of such election to be spread upon the records of the county court. If a majority of the votes cast upon the question of incorporation of the proposed sanitary district shall be in favor of the proposed sanitary district, such proposed district shall thenceforth be deemed an organized sanitary district under this act.

SEC. 2. All courts in this State shall take judicial notice of the existence of all sanitary districts organized under this act.

SEC. 3. A board of trustees, consisting of three members, for the government, control and management of the affairs and business of each sanitary district organized under this act shall be created in the following manner:

Within 20 days after the adoption of said act, as provided in section 1 hereof, the said county judge shall appoint three trustees not more than two of whom shall be from one incorporated city, town or village in districts in which are included two or more incorporated cities, towns or villages, or parts of two or more incorporated cities, towns or villages, who shall hold their office respectively for one, two and three years, from the first Monday of May next after their appointment and until their successors are appointed and have qualified, and thereafter on or before the second Monday in April of each year the said county judge shall appoint one trustee whose term shall be for three years commencing the first Monday in May of the year in which they are respectively appointed. The length of the term of the first trustees shall be determined by lot at their first meeting.

Said county judge shall require each of said trustees to enter into bond, with security to be approved by such county judge, in such sum as said county judge may determine.

A majority of the board of trustees shall constitute a quorum but a smaller number may adjourn from day to day. No trustee or employee of such district shall be directly or indirectly interested in any contract, work or business of the district, or the sale of any article, the expense, price or consideration of which is paid by such district; nor in the purchase of any real estate or other property belonging to the district, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of said district: *Provided*, That nothing herein shall be construed as prohibiting the appointment or selection of any person as trustee or employee whose only interest in said district is as an owner of real estate in said district or of contributing to the payment of taxes levied by the said district. The trustees shall have the power to provide and adopt a corporate seal for the district.

SEC. 4. The trustees appointed in pursuance of the foregoing provisions of this act shall constitute a board of trustees for the district for which they are appointed, which board of trustees is hereby declared to be the corporate authorities of such sanitary district, and shall exercise all the powers and manage and control all the affairs and property of such district; said board of trustees immediately after their appointment and at their first meeting in May of each year thereafter, shall elect one of their number as president and one of their number as clerk, and said board of trustees shall have the right to elect a treasurer, engineer and attorney for said district, who shall hold their respective offices during the pleasure of the board, and who shall give such bond as may be required by said board. Said board may prescribe the duties and fix the compensation of all the officers and employees of said sanitary district: *Provided, however*, That a member of said board of trustees shall in no case receive a sum to exceed the sum of \$100 per annum. Said board of trustees shall have full power to pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of said board of trustees and of said corporation, and for carrying into effect the objects for which such sanitary district is formed.

SEC. 5. All ordinances imposing any penalty or making any appropriations shall, within one month after they are passed, be published at least once in a newspaper published in such district, or if no such newspaper of general circulation is published therein, by posting copies of the same in three public places in the district; and no such ordinance shall take effect until 10 days after it is so published, and all other ordinances, orders and resolutions, shall take effect from and after their passage unless otherwise provided therein.

SEC. 6. All ordinances, orders and resolutions, and the date of publication thereof, may be proven by the certificate of the clerk under the seal of the corporation, and when printed in book or pamphlet form, and purporting to be published by the board of trustees, such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances, orders and resolutions, as of the dates mentioned in such book or pamphlet in all courts and places without further proof.

SEC. 7. The board of trustees of any sanitary district organized under this act shall have power to provide for the disposal of the sewage thereof including the sewage and drainage of any incorporated city, town or village within the boundaries of such district and to save and preserve the water supplied to the inhabitants of such district from contamination and for that purpose may construct and maintain an enclosed conduit or conduits, main pipe or pipes, wholly or partially submerged, buried or otherwise, and by means of pumps or otherwise cause such sewage to flow or to be forced through such conduit or conduits, pipe or pipes to and into any ditch or canal constructed and operated by any other sanitary district, after having first acquired the right so to do, or such board may provide for the drainage of such district by laying out, establishing, constructing and maintaining one or more channels, drains, ditches and outlets for carrying off and disposing of the drainage (including the sewage) of such district together with such adjuncts and additions thereto as may be necessary or proper to cause such channels or outlets to accomplish the end for which they are designed, in a satisfactory manner, including pumps and pumping stations and the operation of the same. Such board may also treat and purify such sewage so that when the same shall flow into any lake or other watercourse, it will not injuriously contaminate the waters thereof, and may adopt any other feasible method to accomplish the object for which such sanitary district may be created, and may also provide means whereby the said sanitary district may reach and procure supplies of water for diluting and flushing purposes: *Provided, however,* That nothing herein contained shall be construed to empower or authorize such board of trustees to operate a system of water works for the purpose of furnishing or delivery [sic] water to any such municipality or to the inhabitants thereof. Nothing in this act contained shall authorize said trustees to flow the sewage of such district into Lake Michigan and any such plan for sewage disposal by any sanitary district organized hereunder, is hereby prohibited.

SEC. 8. Such sanitary district may acquire by purchase, condemnation, or otherwise any and all real and personal property, right of way and privilege, either within or without its corporate limits that may be required for its corporate purposes; and in case any district formed hereunder shall be unable to agree with any other sanitary district upon the terms under which it shall be permitted to use the drains, channels or ditches of such other sanitary district, the right to so use the same may be acquired by condemnation in any court of competent jurisdiction by proceedings in the manner, as near as may be, as is provided in and by an act entitled, "An act to provide for the construction, repair and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts:" approved and in force May 29, 1879, and all amendments thereto. The compensation to be paid for such use may be a gross sum, or it may be in the form of an annual rental, to be paid in yearly installments as and in the manner provided by the judgment or decree of the court wherein such proceedings may be had: *Provided, however,* When such compensation is fixed at a gross

sum all moneys for the purchase and condemnation of any property shall be paid before possession is taken or any work done on the premises damaged by the construction of such channel or outlet, and in case of an appeal from the county court taken by either party whereby the amount of damages is not finally determined, then possession may be taken: *Provided*, That the amount of judgment in such court shall be deposited at some bank to be designated by the judge of said court, subject to the payment of such damages on orders signed by such county judge, whenever the amount of damages is finally determined. Said sanitary district shall have the power to sell, convey, vacate and release the said real or personal property, right of way and privileges acquired by it when the same is no longer required for the purposes of said district.

SEC. 9. The corporation may borrow money for corporate purposes and may issue bonds therefor, but shall not become indebted in any manner, or for any purpose, to an amount in the aggregate to exceed 5 per centum on the valuation of taxable property therein to be ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness. Whenever the board of trustees of such district desires to issue bonds hereunder they shall order an election to be held in such district upon the question. The notice of election shall state the amount of bonds to be issued and the polling places, at which such election shall be held, and shall be posted in at least five public places at least 20 days prior to the election. Such election notice shall also be published in a newspaper published in said district at least 20 days prior to the election. The board of trustees shall appoint judges and clerks for such election, and the return of such election shall be filed with the clerk of the board of trustees and be canvassed and the result ascertained by said board and entered upon the records of the district. If it shall appear that a majority of the voters voting at said election on said question shall have voted in favor of the issue of said bonds, the board of trustees shall order and direct the execution of the bonds for and on behalf of said district. All bonds issued hereunder shall mature in not exceeding 20 annual installments. The ballots at elections held under this section shall be in substantially the following form:

Proposition to issue bonds of.....district to the amount of.....dollars.	Yes	
	No	

SEC. 10. At the time of or before incurring any indebtedness, the board of trustees shall provide for the collection of a direct annual tax sufficient to pay the interest on such debt as it falls due, and also to pay and discharge the principal thereof as the same shall fall due, and at least within 20 years from the time of contracting the same.

SEC. 11. All contracts for work to be done by such municipality, the expense of which will exceed \$500, shall be let to the lowest responsible bidder therefor upon not less than 30 days' public notice of the terms and conditions upon which the contract is to be let, having been given by publication in a newspaper of general circulation published in said district, and the said board shall have the power and authority to reject any and all bids, and readvertise.

And in all other respects such contract shall be entered into and the performance thereof controlled by the provisions of an act entitled "An act concerning local improvements," approved June 14, 1897, in force July 1, 1897, and amendments thereto as near as may be: *Provided*, That contracts may be let for making proper and suitable connections between the mains and outlets of the respective sewers in said district with any conduit, conduits, main pipe or pipes that may be constructed by such sanitary district.

SEC. 12. The board of trustees may levy and collect other taxes for corporate purposes upon property within the territorial limits of such sanitary district, the aggregate amount of which for each year shall not exceed one-half of one per centum of the value of the taxable property within the corporate limits, as the same shall be assessed and equalized for the State and county taxes of the year in which the levy is made: *Provided, however*, That a like sum in addition thereto may be levied when such additional tax has been authorized by the legal voters of such district at an election duly called therefor. Such election shall be governed by the terms of this act relating to elections held to decide on the proposition of issuing bonds of said district.

Said board shall cause the amount required to be raised by taxation in each year to be certified to the county clerk on or before the second Tuesday in August, as provided in section 122 of the general revenue law. All taxes so levied and certified shall be collected and enforced in the same manner and by the same officers as State and county taxes, and shall be paid over by the officer collecting the same to the treasurer of the sanitary district in the manner and at the time provided by the general revenue law.

The treasurer shall, when the moneys of the district are deposited with any bank or other depository, require such bank or other depository to pay the same rates of interest for such moneys deposited as such bank or other depository is accustomed to pay depositors under like circumstances, in the usual course of its business. All interest so paid shall be placed in the general fund of the district, to be used as other moneys belonging to such district raised by general taxation. The annual tax provided for herein and the taxes levied hereunder for the payment of the principal of and the interest upon bonded indebtedness of the district shall not be included in the aggregate of all the taxes required to be reduced under the provisions of an act entitled, "An act concerning the levy and extension of taxes, approved May 9, 1901, in force July 1, 1901, and all amendatory acts thereof."

SEC. 13. Every such district is authorized to construct, maintain, alter and extend its sewers, channels, ditches, and drains, as a proper use of highways along, upon, under and across any highway, street, alley or public ground in the State, but so as not to incommode the public use thereof, and the right and authority are hereby granted to any such district to construct, maintain, and operate any conduit or conduits, main pipe or pipes, wholly or partially submerged, buried or otherwise, in, upon and along any of the lands owned by said State under any of the public waters therein: *Provided*, That the extent and location of the lands and waters so as to be used and appropriated [sic] by the governor of said State of Illinois, upon application duly made to him asking for such approval: *And provided further*, That the rights, permission and authority hereby granted shall be subject to all public rights of commerce and navigation, and to the authority of the United States in behalf of such public rights and also to the right of said State of Illinois to regulate and control fishing in said public waters.

SEC. 14. Whenever there shall be located within the bounds of any such sanitary district organized under the provisions of this act, any United States military post, reservation or station, or any naval station, the said board of trustees of such district are hereby authorized to enter into contracts or agreements with the War Department or other proper authorities of the United States, permitting them to connect with any such conduit or conduits, main pipe or pipes, and discharge the drainage, sewage or other impure or contaminated liquids therein.

SEC. 15. Whenever the board of trustees of any sanitary district shall pass an ordinance for the making of any improvement which such district is authorized to make, the making of which will require that private property should be taken or damaged, such district may cause compensation therefor to be ascertained, and may condemn and acquire possession thereof in the same manner as nearly as may be as is provided in an act entitled "An act to provide for the exercise of the right of eminent domain," approved April 10, 1872, and all amendments thereto: *Provided, however*,

That proceedings to ascertain the compensation to be paid for taking or damaging private property shall in all cases, be instituted in the county where the property sought to be taken or damaged is situated: *And, provided*, That all damages to property whether determined by agreement or by final judgment of court shall be paid, prior to the payment of any other debt or obligation.

SEC. 16. When, in making any improvements which any district is authorized by this act to make, it shall be necessary to enter upon and take possession of any existing drains, sewers, sewer outlets, plants for the purification of sewage or water, or any other public property, or property held for public use, the board of trustees of such district shall have the power so to do and may acquire the necessary right of way over any other property held for public use in the same manner as is herein provided for acquiring private property, and may enter upon, and use the same for the purposes aforesaid: *Provided*, The public use thereof shall not be unnecessarily interrupted or interfered with, and that the same shall be restored to its former usefulness as soon as possible.

SEC. 17. Any district formed hereunder shall have the right to permit territory lying outside its limits whether within any other sanitary district or not to drain into and use any channel or drain made by it, upon such payments, terms and conditions as may be mutually agreed upon, and any district formed hereunder is hereby given full power and authority to contract for the right to use any drain or channel which may be made by any other sanitary district, upon such terms as may be mutually agreed upon, and to raise the money called for by any such contract in the same way and to the same extent as such district is authorized to raise money for any other corporate purposes.

SEC. 18. The board of trustees of any such sanitary district shall have power and authority to prevent the pollution of any waters from which a water supply may be obtained by any city, town or village within said district, and shall have the right and power to appoint and support a sufficient police force, the members of which may have and exercise police powers over the territory within such drainage district, and over the waters from which said water supply may be obtained, for a distance of 3 miles from the shore thereof, or from the source of said water supply for the purpose of preventing the pollution of said waters, and any interference with any of the property of such sanitary district; but such police officers when acting within the limits of any such city, town or village, shall act in aid of the regular police force thereof, and shall then be subject to the direction of its chief of police, city or village marshals or other head thereof: *Provided*, That in so doing they shall not be prevented or hindered from executing the orders and authority of said board of trustees of such sanitary district: *Provided, further*, That before compelling a change in any method of disposal of sewage so as to prevent the said pollution of any water, the board of trustees of such district shall first have provided means to prevent the pollution of said water from sewage or refuse originating from their own sanitary district.

Tuberculosis Sanatoriums in Cities and Villages—Organization, Powers, and Duties of Board of Directors—Appointment of Employees. (Act June 27, 1917.)

SECTION 1. That section 6 of an act entitled "An act to enable cities and villages to establish and maintain public tuberculosis sanatoriums," approved March 7, 1908, in force July 1, 1908, as amended, be amended to read as follows:

SEC. 6. Said directors shall, immediately after appointment, meet and organize by the election of one of their number president and one as secretary and by the election of such other officers as they may deem necessary. They shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the sanitarium and the branches, dispensaries and auxiliary institutions and activities connected therewith as may be expedient, not inconsistent with this act and the ordinances of such city or village. They shall have the exclusive control of the

expenditure of all moneys collected to the credit of the tuberculosis sanitarium fund and of the construction of any sanitarium building or other buildings necessary for its branches, dispensaries and other auxiliary institutions and activities in connection with said institution, and of the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose: *Provided*, That all moneys received for such sanitarium shall be deposited in the treasury of said village or city to the credit of the tuberculosis sanitarium fund, and shall not be used for any other purpose and shall be drawn upon by the proper officer of said city or village upon the properly authenticated vouchers of the sanitarium board.

Said board shall have the power to purchase or lease ground within or without the limits of such city or village, and to occupy, lease or erect an appropriate building or buildings for the use of said sanitarium, branches, dispensaries and other auxiliary institutions and activities connected therewith, by and with the approval of the city council or board of trustees as the case may be; and shall have the power to appoint suitable superintendents or matrons or both and all necessary assistants and other employees and fix their compensation, and shall also have the power to remove such appointees, and shall in general carry out the spirit and intent of this act in establishing and maintaining a public sanitarium, and one or all of said directors shall visit and examine said sanitarium at least twice in each month and make monthly reports of its condition to the city council or board of trustees, as the case may be. In any city which has adopted or hereafter shall adopt the civil service law for cities entitled "An act to regulate the civil service of cities, approved March 20, 1895," all appointments with the exception of superintendents, and all removals of all matrons and other assistants shall be made pursuant to the provisions of said civil service law and not otherwise: *Provided*, That where in any city any persons are occupying any of said positions pursuant to appointment and certification thereon by the civil service commission of such city made after examination, such persons shall hold said positions as though duly appointed after examination under the provisions of said civil service law, and all other matrons and assistants not so appointed after examination shall have the status of temporary appointees under said civil service law. All officers and employees of any such public tuberculosis sanitarium shall severally be deemed officers or employees, as the case may be, of the city or village in which such sanitarium is established.

Tuberculosis Sanatoriums in Certain Cities and Villages—Increase of Tax Levy for Maintenance of. (Act June 22, 1917.)

SECTION 1. That an act entitled "An act to enable cities and villages to establish and maintain public tuberculosis sanatoriums," approved March 7, 1908, in force July 1, 1908, and as subsequently amended, by the act¹ approved June 28, 1915, in force July 1, 1915, be and the same is hereby amended, by adding to said act five new sections, to be numbered 16, 17, 18, 19 and 20, respectively, which sections so added shall read as follows:

SEC. 16. Where a tuberculosis sanitarium, organized under the provisions of this act, is being maintained in any city or village of less than 100,000 inhabitants, the tax levy for the support of such sanitarium, so maintained, may be increased to a sum not to exceed 2 mills on the dollar, and when so increased shall be levied and collected as hereinbefore provided.

SEC. 17. The board of directors of such tuberculosis sanitarium so maintained shall determine the necessity of such increased tax levy; and when the same is deemed necessary the board shall recommend in writing to the city council or board of trustees, as the case may be, the necessity of such increased tax levy and the number of mills tax desired to be levied.

¹ Pub. Health Repts. Reprint 338, p. 205.

SEC. 18. Whenever the board of directors of any sanitarium so established and maintained shall recommend in writing an increased tax levy to the city council or board of trustees, as the case may be, the city council or board of trustees shall pass an ordinance for the establishment and levy of such increased tax, so recommended.

SEC. 19. Whenever any ordinance is passed to increase the tax levy for any sanitarium so maintained, the said ordinance or resolution shall be submitted to the voters of such city or village, as the case may be, at the next succeeding general or special election, or at any election called for that purpose, and the said ordinance or resolution shall become operative, effective and valid if approved by a majority of the voters voting upon the question.

SEC. 20. Such ordinance shall be printed on a ballot in full, which shall be separate and distinct from the ballot for candidates for office. The proposition upon the ballot to be used for any such election in voting under this act, shall be substantially in the following form:

For the increase of the tax levy for maintaining the tuberculosis sanitarium to.....mills on the dollar as provided in ordinance number.....	
Against the increase of the tax levy for maintaining the tuberculosis sanitarium to.....mills on the dollar as provided in ordinance number.....	

Foodstuffs—Adulteration and Misbranding. Eggs—Sale—Egg Breaking Establishments. (Act June 26, 1917.)

SECTION 1. That section 9 of an act entitled, "An act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State food commissioner and his assistants, to define their powers and duties and to repeal all acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith," approved May 14, 1907, and in force July 1, 1907, as amended by subsequent acts, be and the same is hereby amended to read as follows:

SEC. 9. *Misbranded defined.*—The term "misbranded," as used herein, shall apply to all articles of food or drink, or articles which enter into the composition of food or drink, the packages or labels of which bear any statement, design or device regarding such article, or the ingredients or substance contained therein which shall be false or misleading in any particular; and to any such products which are falsely branded as to manufacture [sic], packer or dealer who sells the same or as to the State, territory or country in which it is manufactured or produced. That for the purpose of this act an article shall also be deemed to be misbranded—

In case of food:

First. If it be an imitation of or offered for sale under the distinctive name of another article, or if it does not conform to the standards set forth in this act.

Second. If it be so labeled or branded as to make the identity of the manufacturer, packer or dealer who sells or offers the same for sale uncertain or doubtful; or which is so labeled or branded as to indicate on the receptacle, vessel or container the name of any firm or corporation other than the firm or corporation actually manufacturing, packing or dealing in the article or product so sold or offered for sale; or if it be labeled or branded so as to deceive or mislead the purchaser, or purports to be a foreign product when not so, or if the contents of a package as originally put up shall have been removed in whole or in part and refilled by contents of a different quality or of a

different manufacturer, packer or dealer, or if it shall fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilid or any derivative or preparation of any such substance contained therein.

Third. If in package form, the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count: *Provided, however,* That reasonable variation shall be permitted and tolerances and also exemptions as to small packages shall be established by rules and regulations made in accordance with the provisions of section 38 of this act.

Fourth. If it be a manufactured article of food or food sold in package form, and is not distinctly labeled, marked or branded with the true name of the article and with either the name of the manufacturer and place of manufacture, or the name and address of the packer or dealer who sells the same, or if its label does not conform to the regulations set forth in this act.

Fifth. If the package containing it or its label shall bear any statement, design or device regarding the ingredients of the substance contained therein, which statement, design or device shall be false or misleading in any particular: *Provided,* That an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in following cases:

1st. In case of mixture or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where the article has been manufactured or produced.

2d. In case of articles labeled, branded or tagged so as to plainly indicate that they are compounds, imitations or blends and the word "compound," "imitation," or "blend," as the case may be, is plainly stated on the package in which it is offered for sale: *Provided,* That the term "blend" as used herein, shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purpose of coloring and flavoring only; and as applied to alcoholic beverages, only those distilled spirits shall be regarded as "like substances" which are distilled from the fermented mash of grain and are of the same alcoholic strength: *And, provided, further,* That nothing in this act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods, which contain no unwholesome added ingredients to disclose their trade formulas, except in so far as the provisions of this act may require to secure freedom from adulteration or misbranding.

3d. In the case of mixtures of corn syrup (glucose) or corn sugar (dextrose) or corn sugar syrup, with cane or beet sugar (sucrose) or cane or beet sugar syrup, in food, if the maximum percentage of corn syrup (glucose), or corn sugar (dextrose), or corn sugar syrup, in such article of food [be?] plainly stated on the label.

SEC. 2. That said act be amended by adding thereto a section to be known as section 39a1, as follows:

SEC. 39a1. It shall be unlawful to ship or otherwise dispose of in any kind of a container, or in any other manner, any collection of eggs or any eggs known as "yolks stuck to the shell," "heavy blood rings," "partially hatched," "moldy eggs," "black spots," "black rots" or any other eggs of an unwholesome nature, unless the same are broken in the shell, and then denatured, so as to render the same unfit for human food.

Eggs exclusive of the above named varieties which are not intended for sale to the trade in shell form are hereby declared "breaking stock." "Breaking stock," when packed in cases sealed with proper identifying strips, that have been approved by the director of the department of agriculture, may be shipped from within or

without the State of Illinois, either directly or otherwise, to licensed egg breaking establishments in Illinois.

All persons, firms or corporations that engage in the State of Illinois in the business of removing eggs from their shells in the manufacture of frozen, liquid, dessicated, or any other form of whole egg, yolks, whites, or any mixture of yolks and whites with or without the additions of any other ingredients, shall before engaging in such business, apply to the director of the department of agriculture for a license. Thereupon, the director of the department of agriculture, or his agents, shall inspect the establishment and equipment of said egg breaking establishment, and he shall also ascertain, if the said establishment complies in method and equipment with the sanitary law and the rules and regulations that shall from time to time be established by the director of the department of agriculture, for the governing of these establishments. If after such inspection it shall appear that the said establishment complies with the provisions of the sanitary law and the rules and regulations governing egg breaking establishments, then the said director of the department of agriculture shall certify to the State treasurer that the said establishment is entitled to a license.

Every person, firm or corporation engaged in the breaking of eggs and whose establishment has been inspected and approved as above described, shall pay annually during the month of December of each year a license fee of \$300 for each establishment to the treasurer of the State of Illinois. Said treasurer shall in each case at once certify to the director of the department of agriculture the payment of such fee, and thereupon the director of the department of agriculture shall issue a license to such establishment.

It shall be unlawful for any one to have in his possession eggs known as "yolks stuck to the shell," "heavy blood rings," "partially hatched," "moldy eggs," "black spots," "black rots," or any other unwholesome eggs, unless the same are broken in the shell, and then denatured so as to render the same unfit for human food.

Every egg breaking establishment, when it has received its license, shall be furnished with an identifying establishment number. Said number shall be included as part of the proper labeling of all cans or other receptacles in which frozen or desiccated egg products are offered for sale. The form and manner of placing said number on containers shall be under rules and regulations promulgated by the director of the department of agriculture.

Brokers, commission men, or ordinary receivers of eggs who have eggs shipped to them in these "breaking stock" identified cases may break the seal and examine the stock, but they must reseal the identified strip where it is cut, with another identifying strip, which carries their name and address and the date on which they inspected the eggs. They will be held responsible for any tampering of the contents of the identified cases.

Whoever shall violate any of the provisions of this section shall be guilty of a misdemeanor and shall be punished as provided in this act, and in addition thereto the director of the department of agriculture shall at once revoke such offender's license.

SEC. 3. That section 39b of said act as amended be and it hereby is repealed.

Wood Alcohol—Sale or Possession of Preparations Containing, for Internal Use Prohibited—Labeling of Wood Alcohol or Preparations Containing Same. (Act June 11, 1917.)

SECTION 1. That an act entitled, "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, be and is hereby amended by adding thereto a new section to be known as section 63a.

SEC. 63a. No person, firm or corporation shall have in possession, sell, or offer for sale, any food or drink which contains methyl alcohol (commonly known as wood

alcohol), or any preparation or mixture of any kind whatsoever, containing methyl alcohol, which shall be intended for internal use by man. Methyl alcohol by any name, or any preparation or mixture containing methyl alcohol, shall, when offered for sale, sold, delivered or used, be conspicuously labeled "wood alcohol" or "This preparation contains wood alcohol" and the word "poison" together with a skull and cross bones. The word "poison" and the skull and cross bones shall be printed in red ink and shall be at least one-quarter of an inch in height.

Any person, firm or corporation violating the provisions of this section shall be fined not less than \$5 nor more than \$100 for each such offense.

Births and Deaths—Registration. (Act June 28, 1917.)

SECTION 1. That section 18 of an act entitled, "An act to provide for the registration of all births, stillbirths, and deaths in the State of Illinois and to repeal an act entitled, 'An act requiring reports of births and deaths, and the recording of the same, and prescribing a penalty for noncompliance with the provisions thereof, and repealing certain acts therein named,'" approved May 6, 1903, in force July 1, 1903, as amended by an act² approved June 22, 1915, in force July 1, 1915, be and the same is hereby amended to read as follows:

SEC. 18. That it shall be the duty of the local registrars to supply blank forms of certificates to such persons as require them. Each local registrar or subregistrars shall carefully examine each certificate of birth, stillbirth or death when presented for record, to see that it has been made out in accordance with the provisions of this act and the instructions of the State board of health, and if any certificate of death or stillbirth is incomplete or unsatisfactory, it shall be the duty of the local registrar to call attention to the defects in the return and at his discretion he may withhold issuing the burial or removal permit until such defects are corrected. If the certificate of death or stillbirth is properly executed and is complete, as far as is practicable, he shall then issue a burial or removal permit to the undertaker: *Provided*, That in case the death occurred from any disease that is communicable and dangerous to the public health, the permit for the removal or other disposition of the body shall be granted by the local or subregistrar, under such rules as may be prescribed by the State board of health, or under local rules or ordinances not in conflict with the rules of the State board of health.

If a certificate of birth is incomplete, the local registrar shall immediately notify the person making such report and require him or her to supply the missing items if they can be obtained. The local registrar shall number consecutively the certificates of births, stillbirths and deaths in three separate series, beginning with No. 1 for the first birth, stillbirth or death in each calendar year, and sign his name as local registrar in the attest of the date of filing in this office. He shall also make a complete and accurate copy or copies of each birth, stillbirth and death certificate registered by him on blank certificates of births, stillbirths and deaths, or in a record book of approved form prescribed by the State board of health. Local registrars shall deposit with the county clerks of their respective counties on the tenth day of each month, one complete set of the records, births, stillbirths and deaths registered with them during the preceding months, and the county clerks are charged with the binding and indexing, or recording, and safekeeping of such records: *Provided, however*, That the local registrar shall obtain the given name of the child before reporting a birth to the county clerk. Each local registrar shall, on the tenth day of each month, transmit to the State board of health all original certificates registered by him, including those received from his subregistrars, during the preceding month: *Provided*, That any city, incorporated town or village which is a registration district for the purposes of this act, may cause to be made extra copies of any or all birth, stillbirth and death certificates filed with the local registrar, such extra copies to be in addition to those copies which

are required to be made for and turned over to the county clerk, as provided for in this act, and such extra copies may be retained by any city, incorporated town or village as its permanent record.

If no birth, stillbirth or death occurred in any month, the local registrar shall on the tenth day of the following month, report that fact to the State board of health and the county clerk, on a card provided for that purpose.

Health Insurance—Commission to Investigate. (Act June 23, 1917.)

SECTION 1. *Creation and duty.*—That a special temporary commission is hereby created to be known as the health insurance commission, which shall investigate sickness and accident of employees and their families (not compensated by workmen's compensation in the State of Illinois), with reference to the adequacy of the present methods of preventing and meeting the losses caused by such sickness or injury, either by mutual or stock insurance companies or associations, by fraternal or other mutual benefit associations, by employers and employees jointly, by employers or employees alone, or otherwise; and further, such definite proposals for legislative measures to prevent and meet such losses as may have been proposed in this or other States; all with a view to recommending ways and means for the better protection of employees from sickness and accident and their effects and the improvement of the health of employed persons and their families in the State. The commission shall hold public hearings in different parts of the State. The commission shall submit a full final report, including such recommendations for legislation by bill or otherwise as in its judgment may seem proper, to the general assembly of 1919 and unless continued by such general assembly, shall expire at the end of its regular session.

SEC. 2. *Members.*—The commission shall consist of two representatives of labor, namely, one representative of the male laborers, the other of the female laborers of the State, an employer of labor, a physician, a farmer, a social economist, a social worker, and two other persons, to be appointed by the governor. The members of such commission shall receive no compensation for their services, but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

SEC. 3. *Powers.*—The commission shall have power to elect its chairman and other officers, to employ a secretary, experts in the matters to be investigated, and all necessary clerical and other assistants, to purchase books and all necessary supplies, and to rent office room, and halls for hearings.

SEC. 4. *Cooperation of other departments.*—The department of public health and the department of labor and mining are hereby directed to cooperate with the commission, to give it access to their records, and to render it any such proper aid and assistance as in their judgment may not interfere with the proper conduct of their respective departments.

SEC. 5. *Appropriation.*—The sum of \$20,000 or so much thereof as may be needed, is hereby appropriated for the actual and necessary expenses of the commission in carrying out the provisions of this act; and the auditor of public accounts is hereby authorized to draw his warrant for the foregoing amount, or any part thereof, in payment of any expenses, charges, or disbursements authorized by this act on order of the commission, signed by its chairman, attested by its secretary, and approved by the governor.

Nuisances Within One-Half Mile of Military Camp—Abatement. (Act May 5, 1917.)

SECTION 1. That * * * a new section be added to article 6 of said act, [An act to establish a military and naval code of the State of Illinois and to repeal all acts in conflict therewith, approved June 10, 1909, in force July 1, 1909,] to be known as section 21 which * * * said additional section shall read as follows:

* * * * *

SEC. 2. Section 21, article 6: Any filth, offal, or any putrid, or decaying matter, material or substance of any kind, which constitutes a menace to public health or will be offensive to the senses of human beings, deposited in any building, structure or enclosure, or on any premises, or in any place within one-half mile of any national guard camp grounds, rifle range, or building, or enclosure occupied and used, or about to be occupied or used by any troop or troops of soldiers, or the Illinois National Guard, in the service of the State or National Government, or which may be called into the service of either, is hereby declared to be a common nuisance, and the State board of health or the department of public health is hereby empowered to determine whether such nuisance exists, and if found to exist to forthwith, in writing, order the person, firm, association or private, public or municipal corporation, as the case may be, to immediately abate such nuisance; and upon failure of any such person, firm, association of persons, or such private, public or municipal corporation to immediately obey such order, the State board of health, or the department of public health shall have the power, and it is hereby made its duty, summarily to abate such common nuisance; and the person or persons, firm, association, or private, public or municipal corporation responsible for such common nuisance; shall be liable for the cost and expense of such abatement in an action therefor at the suit of the people of the State of Illinois.

Any person or persons, either individually or as officers of any private, public or municipal corporation creating or maintaining, or responsible for the creation or maintenance of such common nuisance, or failing, or refusing to immediately abate the same upon the written order of the State board of health, or the department of public health, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than \$10, nor more than \$100, or by imprisonment in the county jail not to exceed 30 days, or by both such fine and imprisonment in the discretion of the court.

Children—Employment in Certain Occupations Prohibited. (Act June 26, 1917.)

SEC. 10. No minors under the age of 16 years shall be employed * * * in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors or white lead; * * * .

INDIANA.

Tuberculosis—Notification of Cases—Duties of State Board of Health—Disinfection. (Ch. 149, Acts of 1917.)

SECTION 1. *Tuberculosis infectious disease.*—That tuberculosis being hereby declared to be an infectious and communicable disease dangerous to the public health, it shall be the duty of every practicing physician in this State to report the name and address of every person known by him to be infected with tuberculosis, to the health officer of the city, town or county in which such person resides within 5 days after such fact comes to the knowledge of the physician; it shall also be the duty of the chief officer having charge for the time being of any hospital, dispensary, asylum or other similar private or public institution to report the name, age, sex, color, occupation, place where last employed if known and the home address of every person having tuberculosis who comes under his care or under his observation within 5 days after such fact comes to his knowledge, to the health officer of the city, town or county from which such patient comes; and it shall be the duty of every authorized school physician to report the name, age, sex, color, school and home address of every school child, teacher or school janitor having tuberculosis, who comes under his observation in the performance of his duties in connection with the medical inspection of schools within 5 days after such fact comes to his knowledge, to the health officer of the city, town or county in which such child, teacher or janitor resides.

SEC. 2. *Health officers report.*—The health officer of every city, town and county in the State shall report on or before the tenth day of each month to the State board of health the names and addresses of, and all other information available concerning persons infected with tuberculosis, which have been reported to him during the previous month, as provided in section 1 of this act. The State board of health shall appoint a deputy whose duty it shall be, under the direction of the State board of health, to tabulate all such reports received from the health officers of the cities, towns and counties and to investigate the prevalence, causes, and distribution of human tuberculosis in the State and devise ways and means for restricting and controlling the disease. The results of his investigation shall form a part of the annual report of the State board of health and shall be otherwise distributed as the State board of health may decide among the people of the State for their enlightenment as to the prevalence and dangers of tuberculosis and the best methods of its cure and prevention.

SEC. 3. *Notice to disinfect premises.*—The health officer of every city, town or county shall, as soon as possible after he received the report of any physician or other authority as provided in section 1 of this act, that a person under his care and observation is suffering from tuberculosis, except in the cases of inmates of hospitals, dispensaries, asylums or other similar private or public institutions, and also immediately after receiving notice, as hereinafter provided, of the removal of any such person infected with tuberculosis, ascertain the name and address of the owner or agent of the apartment, house, room or premises occupied by such person so infected with tuberculosis and immediately notify in writing such owner or agent that an apartment, house, room or premises owned or rented by such owner or agent is occupied by a person infected with tuberculosis and further inform him of the duties hereinafter required of him in connection with the death or removal of such person infected with tuberculosis and in connection with the disinfection of such apartment, house, room or premises, and the penalties for failure to comply with such provisions.

SEC. 4. *Duty of health officer to disinfect.*—When any apartment, house, room or premises is vacated by the death or removal therefrom of a person infected with tuberculosis, the owner or agent of such apartment, house, room or premises shall notify the health officer of the city, town or county in which such apartment, house, room or premises is situated that such apartment, house, room or premises has been vacated. Upon receiving such notice such health officer shall himself or through his deputies immediately disinfect such apartment, house, room or premises in the manner now or hereafter to be prescribed by the State board of health. All expenses of such disinfection shall be borne by the city, town or county in which the aforesaid apartment, house, room or premises is situated.

SEC. 5. *Unlawful to rent premises not disinfected.*—It shall be unlawful for any owner or agent to rent or allow to be occupied any apartment, house, room or premises vacated by the death or removal therefrom of a person infected with tuberculosis, until such apartment, house, room or premises shall have been thoroughly disinfected as above provided.

SEC. 6. *Penalty.*—Any physician, any chief officer having charge of any hospital, dispensary, asylum or other similar private or public institution, any authorized school physician, any city, town or county health officer, or any owner, agent or any other person violating any provision of this act shall be guilty of a misdemeanor and shall, on conviction thereof, be fined not less than \$10 nor more than \$50.

SEC. 7. *Repeal.*—An act¹ entitled "An act for the prevention and control of tuberculosis in the State of Indiana," approved March 5, 1915, is hereby repealed.

Leprosy—Notification of Cases—Quarantine—Destruction of Articles Used by Infected Persons—Appropriation. (Ch. 3, Act Feb. 1, 1917.)

SECTION 1. That it shall be the duty of the State board of health, as soon as notice is received thereof, to quarantine, isolate and care for in any manner said board of health may deem proper all cases of leprosy which may occur in this State. The board shall be the final judge, in all cases, whether the danger in any of such cases is such as to demand special care and quarantine regulations as herein provided.

SEC. 2. It shall be the duty of every physician called upon to attend any sick person, who finds the cause of such sickness to be leprosy, to immediately report such fact, in writing, to the State board of health, and any failure to report any such case of leprosy shall be punished by a fine of not less than \$25 nor more than \$50.

SEC. 3. The State board of health shall have power to remove, or cause to be removed any person whom the said board may find to be afflicted with leprosy from any building in said State where such person may be living, and shall also have power to cause such person to be placed in a proper building set apart for the care and treatment of such person so afflicted and all expense of such removal shall be paid out of the funds herein appropriated and set apart on the orders of the said board of health as herein provided.

SEC. 4. Sheriffs, police officers, health officers and constables upon demand of the State board of health, or upon demand of any member thereof, or on demand of any commissioned deputy of the board shall render any assistance required by said board in protecting such board of health, member thereof or commissioned deputy; but no person shall be compelled to expose himself to such disease of leprosy. Failure or refusal to respond to such demand shall be punishable by a fine of not less than \$25 nor more than \$100.

SEC. 5. The State board of health is herein given the power to establish and maintain quarantine homes for the care of cases of leprosy, and to enable the board to better carry out the provisions of this act, the board is hereby given the right of eminent domain and power to appropriate and condemn any real estate which may be

¹Pub. Health Repts. Reprint 338, p. 225

necessary to establish such homes or quarantine station: *Provided, however,* That the State board of health shall, in establishing such quarantine homes, before condemning private property, cause such homes, if possible, to be located on State or county lands.

SEC. 6. The State board of health is hereby given the power, and it is hereby made the duty of the board to destroy, or cause to be destroyed, all articles of personal property, which may have been used by any person afflicted with leprosy, and which might make possible the spread of said disease.

SEC. 7. Seven thousand dollars or as much thereof as may be necessary, are herewith appropriated for the enforcement of this act and shall not be used for any other purpose. All payments from this fund shall be made by the treasurer of state upon vouchers issued by the auditor of state, based upon bills sworn to by the State health commissioner, who is herewith empowered to do whatever is reasonable and necessary to enforce the provisions of this act. All expenses shall be made upon plans and specifications duly prepared for all buildings and structures, all of which shall first be duly approved by the governor of the State of Indiana.

SEC. 8. This act shall not repeal any existing laws governing the regulation of public health, but the same shall be supplemental to all such laws.

Department of Public Sanitation in Certain Cities—Organization, Powers, and Duties of Boards of Sanitary Commissioners—Sanitary Districts—Sewage Disposal. (Ch. 157, Act Mar. 9, 1917.)

SECTION 1. *Cities of first class; department of public sanitation.*—That in addition to the existing executive departments of cities of the first class, as such cities are defined in an act entitled "An act concerning municipal corporations," approved March 6, 1905, and acts amendatory thereof, there is hereby created a department of public sanitation which shall be under the control of a board of three members, to be known as the board of sanitary commissioners, two of whom shall be appointed by the mayor of such city of the first class and the third shall be the city civil engineer of such city, who shall be a member by virtue of his office. One of said two members to be so appointed shall be nominated by the State board of health of the State of Indiana, which nominee shall be a graduate engineer of some reputable engineering school or university with an engineering department and having an experience of at least five years in practical civil and sanitary engineering work. Not later than 60 days after this act becomes effective, the State board of health shall transmit in writing to the mayor of such city of the first class the State board's nomination of such member on the board of sanitary commissioners, and the mayor shall appoint such nominee to membership on such board within 10 days after the receipt by him of such nomination.

The member so appointed, and the city civil engineer, as a member of said board, within 10 days after the appointment of the nominee of said State board of health, shall nominate a third member of said board who shall be appointed by the mayor of said city within 10 days after the receipt of such nomination: *Provided, however,* That if said two members fail to nominate a third member as above provided, or if they can not agree on a nomination within 10 days, as above provided, then the judge of the circuit court of the district in which said city of the first class is located, shall nominate a third member of the board of sanitary commissioners, who shall be appointed by the mayor of such city within 10 days after the receipt by him of such nomination. The member first appointed shall serve for a term of four years from January 1, 1917, and the second member appointed hereunder shall serve for a term of three years from January 1, 1917, and their successors shall be appointed for terms of four years each. Each member of such board of sanitary commissioners before entering upon his duties shall take and subscribe the usual oath of office, to be endorsed upon the certificate of his appointment, which he shall file with the city clerk. Each member shall execute a bond payable to the State of Indiana with surety acceptable

to the mayor of said city in the penal sum of \$5,000, conditioned upon his performance of the duties of his office as required by law, and the faithful accounting for all moneys and property that may come into his hands or under his control.

At the expiration of the respective terms of the members of such board so appointed, the mayor shall appoint successors to membership on such board, such succeeding members to be nominated in the method and by the same authorities as herein provided for nominating the first members of such board. All vacancies shall be filled by appointment by the mayor upon nomination by the board or officers who nominated the commissioner or commissioners whose places have become vacant. Any commissioner may be removed from office by the mayor for neglect of duty or incompetency, but only after a hearing upon written charges preferred against such commissioner. Such charges may be filed with the mayor, and the commissioner against whom the same are directed shall have at least 10 days' notice of the time and place of hearing thereon, and shall have opportunity to produce evidence and examine and cross-examine witnesses. All testimony shall be given under oath. The finding of the mayor shall be reduced to writing by him and filed with the city clerk. If such charges are sustained and such commissioner removed, he may take an appeal from such finding within 10 days after the date of filing of the same with the clerk, to the circuit or superior court of the county in which such city is located. He shall, in said court, file an original complaint against such mayor, setting forth the charges preferred and the finding made thereon. Such court shall hear the matter of such appeal within 30 days after the filing of the same without the intervention of a jury, and shall ratify or reverse the finding of said mayor, and the judgment of said court shall be final, and no appeal shall lie therefrom.

SEC. 2. *Organization of board; expenses; salaries.*—No later than June 1, 1917, the members of such board of sanitary commissioners shall hold a meeting for the purpose of organization. They shall choose one of their members president and another vice president, who shall perform the duties usually pertaining to those offices. Such officers so chosen shall serve for a period of one year, or until their successors are duly elected and qualified. The city controller and city treasurer of such city of the first class shall perform the same duties with reference to the funds and accounts of such board as with reference to funds and accounts of the other executive departments of said city, except as otherwise provided in this act. Such controller and treasurer shall receive no compensation for performing such duties in addition to that paid them by such city of the first class. The members of such board of sanitary commissioners, not including the city civil engineer, shall each be paid a salary at the rate of \$3,600 per annum during the period of actual construction, and \$600 per annum thereafter. Such board may employ a consulting engineer or engineers or engineering company to design a sewage disposal plant or plants or to report on plans prepared under the direction of said board of sanitary commissioners, and it may employ such other engineers, chemists, bacteriologists, surveyors, attorneys, inspectors, clerks, laborers and other employees as it may deem necessary to carry out the provision of this act, and shall have power to fix and regulate the compensation to be paid them or any of them: *Provided*, That not more than \$20,000 shall be so expended the first year for such preliminary work.

Such city of the first class shall furnish suitable office and storage room for the use of such board of sanitary commissioners without cost to the board, and all maps, plans, documents, records and accounts shall be there kept by said board subject to public inspection at all reasonable times. On or before the first day of February of each year, such board shall make a report to the mayor of such city of its proceedings with a full statement of its receipts and disbursements of the preceding year, the first report covering the period from the date of organization of such board to the first day of January, 1918. In such report such board shall set out in detail the improvements made by it and the general character of the work done during the preceding year. A

majority of the members of said board shall constitute a quorum, and the concurrence of the majority shall be necessary to any action of such board. Such board shall hold regular meetings at such times as it may fix and may call special meetings at such times and upon such notice as it may fix by rule or resolution. All meetings shall be public. The board may adopt such rules and regulations as it may deem necessary relating to the conduct of its meetings and business and to the control and management of the property under its jurisdiction.

SEC. 3. *Powers and duties of board.*—The said board of sanitary commissioners shall have the exclusive government, management, regulation and control of any sewage disposal plant or plants, intercepting and connecting sewers and all other works or appurtenances constructed under the provisions of this act, to prevent the pollution of rivers, streams and watercourses in or near such city and to protect the public health, and shall be charged with the duty of such construction, and shall have all necessary power to maintain, operate and repair such sewage disposal plants and systems. In connection with the duties devolving upon such board as aforesaid, it shall have full power as follows:

1. To condemn, appropriate, lease, rent, purchase and hold any real estate, rights of way, materials or personal property within such city of the first class, or within 5 miles of the corporate limits thereof in any direction needed for a sewage disposal plant or plants and for intercepting or connecting sewers or any other structures built or operated in connection with such plants, or necessary for the use and operation thereof.

2. To enter upon any lots or lands for the purpose of surveying or examining the same with the view of determining the location of any such sewage disposal plant or plants, or any sewer or other structure, roads, levees or walls connected with such plant or plants or necessary for the use or operation thereof.

3. To design, order, contract for and construct a sewage disposal plant or plants and all necessary works and structures appurtenant thereto including connecting or intercepting sewers now or hereafter necessary to connect sewerage or drainage systems of any city of the first class, and of any incorporated town located within the boundaries thereof with such sewage disposal plant or plants.

4. To build or have built all roads, levees, walls or other structures of a similar or different character that may be necessary or desirable in connection with such sewage disposal plant, or plants or any sewers connected therewith, and to make all necessary or desirable improvements of the grounds and premises under its control.

5. To compel the owners, operators, or lessees of all factories, shops, works, plants, buildings or structures to so treat, purify or eliminate from the sewage and trade waste from such premises, such ingredients that the resulting effluent therefrom shall not interfere with the successful operation of the sewage disposal plant or plants, or any intercepting or connecting sewer or drain. Also where such factories, shops, works, plants, buildings or structures are located on a watercourse, to compel the owners, operators or lessees of such premises to direct any excessive flow of water therefrom into such watercourse: *Provided*, That such water contains nothing that would pollute the water in such watercourse to the detriment of the public health.

6. No owner, operator or lessee of any house, factory, shop, works, plant, building or structure that may be either directly or indirectly connected with sewers emptying into such sewage disposal plant or plants, and through which an effluent discharges from such houses, works, shops, factories or structures, shall erect or construct any purification plant, machine, or device of any kind for eliminating or treating the trade waste from such places for the purpose of eliminating therefrom ingredients that would result harmfully to such sewage disposal plant or plants until the plans therefor have been submitted to and approved by said board of sanitary commissioners. After such plans have been submitted to such board it may reject the same in entirety, or order changes to be made therein. An appeal may be taken from the decision of such board rejecting the plans so submitted, or ordering changes therein by the owner, operator or les-

see of any proposed private plant to be erected for the purpose aforesaid, to United States Public Health Service. And a decision of that department shall be final and shall be submitted in writing to such board of sanitary commissioners.

7. To build or have built a plant or plants for the treatment of sludge, pressing sludge, or converting the same into marketable fertilizer.

8. To sell any by-product from such sewage disposal plant or plants, or plants erected for the treatment of sludge. Any revenue derived therefrom (in) any amount over and above the amount needed for maintenance shall be paid into and become a part of the sanitary district bond fund, hereinafter referred to.

9. To compel the owners, lessees or those in possession as agents of lots or lands from which any sewers discharge sewage or drainage and pollute any watercourse, to connect such sewers with sewers or drains leading directly or indirectly into such sewage disposal plant or plants.

10. To erect and construct or have erected or constructed, regulating devices at the junction of combined sewers with intercepting sewers in order that the discharge into the intercepting sewers may be regulated, and in order to prevent the pollution of streams.

11. They shall erect an incinerating or reduction plant or other plants for the destruction or disposal of garbage, filth, ashes, dirt and rubbish and to operate said plant or plants in connection with sewage disposal works, and sell any by-products derived from such garbage, filth, ashes or rubbish. Any revenue derived therefrom (in) any amount over and above the amount needed for maintenance shall be paid into and become a part of sanitary district bond fund as hereinafter referred to.

12. To take charge of all real estate belonging to said city of the first class now under the control of the board of public works, suitably located for a sewage disposal plant and to care for the same. On demand of said board of sanitary commissioners, the board of public works shall relinquish control of such lands subject to any contracts then in force.

13. To collect or contract for the collection of night soil and other sewage in districts not provided with any system of sewers, and the discharge or disposal of the same in public sewers or into the sewage disposal plant or plants.

SEC. 4. *Board's right of action.*—The board of sanitary commissioners in every such city of the first class may, in the name of the city, bring any action which it deems proper to recover damages for the breach of any agreement express or implied, relating to or growing out of the construction or management or repair of any sewage disposal plant or plants or any intercepting sewer or other works or property appurtenant to such sewage disposal plant or system under its control, or relating to or growing out of the acquiring or ownership of any lands in connection therewith, or for the injury to the personal or real property appertaining to the sanitary disposal of sewage in such city or any incorporated town located within the boundaries thereof, and to recover possession of any such property, and may also bring suit for the specific performance of any agreement or avail itself in the name of the city of any legal or equitable remedy necessary to protect and enforce the rights and perform the duties of said department of public sanitation.

SEC. 5. *Sanitary district.*—Upon the taking effect of this act, and the organization of such board of sanitary commissioners as hereinbefore provided, all of the territory included within the corporate limits of any said city of the first class, and all of the territory of any incorporated town lying within the corporate boundaries of such city, the sewage or drainage of which discharges into or through the sewage system of such city, shall become and constitute a sanitary district for the purpose of providing for the sanitary disposal of the sewage of such district in such manner as to protect the public health and prevent the undue pollution of rivers, streams and watercourses, and thereafter said sanitary district shall be deemed duly created and established under and pursuant to the provisions of this act.

SEC. 6. *Expenses; temporary loan.*—All preliminary expenses actually incurred by said board of sanitary commissioners in providing necessary records, the giving of notices, the employment of clerks, engineers, attorneys, and other employees, the making of surveys, and all other expenses of whatsoever nature necessary to be paid prior to the issue and sale of bonds pursuant to the provisions of section 17 of this act, and prior to the collection of taxes levied under the provisions of section 21 of this act, shall be met and paid in the following manner: Said board of sanitary commissioners shall, from time to time, certify such items of expense to the controller of such city, directing him to pay the several amounts thereof, and thereupon said controller shall at once draw his warrant or warrants upon the city treasurer, which warrant or warrants shall be paid out of the general funds of such city not theretofore appropriated, without a special appropriation being made therefor by the common council; or in case there are no general funds of such city not otherwise appropriated, the city controller shall recommend to the common council the temporary transfer from other funds of such city of a sufficient amount to meet such items of expense, or the making of a temporary loan for such purpose, and such common council shall thereupon at once make such transfer of funds, or authorize such temporary loan in the same manner that other temporary loans are made by such city: *Provided, however,* That the fund or funds of such city from which such payments are made, shall be fully reimbursed and repaid by said board of sanitary commissioners out of the first proceeds of the sale of bonds hereinafter provided for, to the extent that such expenses so paid are chargeable to the cost of acquiring any land or the construction of any work under any resolution adopted and confirmed under section 7 of this act, or out of the fund raised by taxation under the provisions of section 21 of this act to the extent that such expenses so paid are in the nature of a general expense of said board of sanitary commissioners.

SEC. 7. *Pollution of streams; sewage disposal plant.*—Whenever upon investigation it shall be found by said board of sanitary commissioners of any city of the first class located on or near any river, stream, or other watercourse or watercourses, that the water in any such watercourse is being polluted by the discharge therein of any sewage or drainage, harmful or deleterious matter, solid or liquid, from the sewage or drainage systems of such city and any such incorporated town located therein, and that a system of sewage disposal is necessary for the public health and welfare, and that the construction of a system for the disposal of the sewage and drainage of such territory will be of public utility and benefit, such board shall cause to be prepared:

1. Maps, plans, specifications and drawings with full details and descriptions for a proposed sewage disposal plant or plants and all tanks, screens, filter beds, pumping plants, siphons, air pumps, grit chambers, sludge basins or other structures or works necessary for the sanitary disposal of the sewage and drainage accumulating in such sanitary district, and intercepting and connecting sewers necessary to connect the sewage and drainage systems within such district with such plant or plants, together with an estimate of cost of the installation of such plant or plants, and structures connected therewith, including the cost of connecting therewith the existing sewers or drains in said sanitary district, under conditions existing at the time or that may be anticipated in the future to exist.

2. A description of all lands, rights of way and other property necessary to be acquired in connection with such plant or plants or such sewers, and the manner in which the same are to be acquired, whether by purchase or by appropriation, and in case of appropriation, a description of any such other lands as may be injuriously affected thereby, together with the estimated cost of all such real estate, rights of way or other property.

When such plans, maps, drawings, details, specifications and descriptions have been prepared by such board, it shall adopt a resolution declaring that upon investigation it has been found that the water in the watercourse particularly described in said resolution is being polluted by the discharge therein of sewage, drainage or other harmful

matter accumulating within the boundaries of said sanitary district and that it is necessary for the public health and welfare and will be of public utility and benefit to construct and maintain a sewage disposal plant or plants with intercepting and connecting sewers and thereby prevent the pollution of said watercourse, and for such purpose to appropriate the property described therein, and adopting all such plans, maps, specifications, drawings, details, descriptions, estimates, which resolution shall be open to inspection by all persons interested in or affected by the appropriation of such property or the construction of such work.

Upon the adoption of such resolution said board shall cause notice of the adoption and purport thereof, and of the fact that such plans, specifications and estimates have been prepared and can be inspected, to be published in at least two daily newspapers printed in said city, of general circulation in the county in which said city and said sanitary district is located once each week for two consecutive weeks, which notice shall name a date not less than 10 days after the date of such last publication on which said board will receive or hear remonstrances from persons interested in or affected by such proceedings, and when it will determine the public utility and benefit thereof. A like notice shall be sent by mail to the owner of all lands to be appropriated under and by said resolution, and in case any such landowner be a nonresident and his place of residence be known, a like notice shall be mailed to such nonresident owner, but in event such nonresident owner's residence is unknown by said board, then he shall be deemed to have been notified of the pendency of the proceedings by the publication of notice. All persons affected in any manner by said proceeding, including all taxpayers in said sanitary district, shall be deemed and held to be notified of the pendency of such proceedings, and of all subsequent acts, hearings, adjournments and orders of said board therein by the original notice by publication aforesaid. In said resolution and notice separate descriptions of each piece or parcel of land shall not be required, but it shall be a sufficient description of the property purchased or to be purchased or to be appropriated or damaged, to give a description of the entire tract by meets[sic] and bounds, whether the same shall be composed of one or more lots or parcels, and whether owned by one or more persons.

When said land or any part thereof is to be acquired by purchase, said resolution shall also state the maximum proposed cost thereof, and said board shall have power at any time prior to the adoption of such resolution to obtain from the owner or owners of such land an option for the purchase thereof, or may enter into a contract for the purchase thereof, upon such terms and conditions as such board shall deem best, such option or contract to be subject to the final action of said board confirming, modifying or rescinding said resolution, and subject further to the condition that said land shall be paid for only out of the special fund resulting from the sale of sanitary district bonds as hereinafter provided. The title to any lands, rights of way or other property acquired under and pursuant to said resolution, whether by purchase or by appropriation, shall not vest in such city until the same are paid for out of the special fund created by the sale of bonds, as hereinafter provided, and no indebtedness or obligation of any kind shall be incurred by said city in its corporate or municipal capacity on account of the acquiring of any such lands, rights of way or other property. All such lands, rights of way or other property when so acquired either by purchase or appropriation, shall be held by the city in trust for sanitary purposes for the use and benefit of such sanitary district and for the general public.

At the time fixed for said hearing, or at any time prior thereto, any owner of land, right of way or other property to be appropriated under said resolution or injuriously affected, and also any person owning real or personal property situated within the territorial boundaries of said sanitary district, may file a written remonstrance with said board of sanitary commissioners. At such hearing, which may be adjourned from time to time, said board shall hear all persons interested in said proceedings and all such remonstrances as have been filed, and after considering the same shall take final action determining the public utility and benefit of such proposed pro-

ceedings, and confirming, or modifying and confirming, or rescinding such resolution, which said final action shall be duly recorded, and such action shall be final and conclusive upon all persons whomsoever, except that, any person who has remonstrated in writing as hereinabove provided and who is aggrieved by the decision of said board, may within 10 days take an appeal to the superior court in the county in which such sanitary district is located in the manner hereinafter provided.

SEC. 8. *Remonstrance; right of appeal.*—Any person who shall have filed a written remonstrance with said board of sanitary commissioners, as provided in the foregoing section, in case such board shall take final action confirming said resolution in its original or any modified form, shall have the right of an appeal to the superior court of the county in which said city is located. Within 10 days after the final action of said board such remonstrator shall file in the office of the clerk of such court a copy of the order of said board and his remonstrance thereto, together with his bond conditioned to pay the cost of such appeal, should such appeal be determined against him. The only ground of remonstrance which said court shall have power of jurisdiction to hear on said appeal shall be the question whether it will be of public utility and benefit to establish and construct the proposed sewage disposal plant or plants and appurtenances thereto as described in said resolution, and the burden of proof shall be upon the remonstrator. Said cause shall be summarily tried by the court without the intervention of a jury, as other civil cases and all of the judges of said court shall sit in such trial. The judges of such court shall have power to hear said appeal in vacation. All remonstrances upon which an appeal is taken shall be consolidated and heard as one cause of action by said court, and said cause shall be heard and determined by said court or by the judges thereof in vacation within 30 days from the time of the filing of said appeal. Upon the date fixed for hearing the court shall hear evidence upon such remonstrances and shall confirm the final action of said board of sanitary commissioners on said resolution, or sustain the remonstrance thereto, and such judgment of said court shall be final and conclusive upon all persons whomsoever, and no appeal shall lie from the judgment of said court.

SEC. 9. *Special tax.*—Upon final action of said board of sanitary commissioners or said court, confirming said resolution in its original or any modified form, all property real and personal located within the territorial limits of said sanitary district as hereinbefore defined shall be subject to a special tax for the purpose of providing funds to pay the total cost of the construction of said sewage disposal plant or plants and of all sewers, drains, works, structures and appurtenances connected therewith, and of acquiring all necessary lands or rights of way, as described and provided in said resolution of said board, including all necessary incidental expenses as hereinafter specified, which said special tax is hereby declared (to) be and constitute the amount of benefits resulting to all said property from such proceedings, and shall be levied as hereinafter provided. The word "court" as used in section 8 and 9 of this act shall be construed to mean all the judges of the superior courts of the county in which said city of the first class is located, or a majority of them sitting in general term. It shall be necessary for a majority of the judges of such superior court to concur in the finding or judgment rendered.

SEC. 10. *Roll of property owners.*—When said resolution provides for the appropriation of any property or rights of way, as aforesaid, upon final action confirming the same by said board, or by said court on appeal, as hereinabove provided, said board shall cause to be prepared a list or roll of all the owners or holders of property and of interests sought to be taken, or which will be injuriously affected. In addition to such list or roll of names, the same shall show with reasonable certainty a description of such property to be appropriated or injuriously affected, belonging to such persons or owners, and no greater certainty in names and descriptions shall be necessary to the validity of any such appropriation and award than is required in the assessment of taxes.

SEC. 11. *Awarding of damage.*—Upon the completion of such list or roll said board shall proceed to consider, determine and award the damages sustained by the owners of the several parcels of land or rights or way, required to be taken and appropriated, or which will be injuriously affected. When such awards are completed said board shall cause a written notice to be served upon the owner of each said piece of property showing the amount of such award, by leaving a copy of the same at his last usual place of residence in said city or county, or by delivering such copy to said owner personally. If such person be a nonresident, or his residence shall be unknown, then he shall be notified by publication in some daily newspaper printed in said city, of general circulation in the county in which said city is located, once each week for two consecutive weeks. Such notice shall name a date not earlier than 10 days after the serving of notice or after the last publication, as the case may be, on which said board shall receive or hear remonstrances from persons with regard to the amount of their respective awards of damages. Persons not included in the lists of such awards, and claiming to be entitled to the same, shall be deemed to have been notified of the pendency of the proceedings by the original notice of said resolution of said board as provided in section 7 of this act.

SEC. 12. *Notice to guardian.*—In case any person having an interest in land affected by such proceedings shall be of unsound mind, or an infant, said board of sanitary commissioners shall certify the same to its attorney, and said attorney shall forthwith apply to the proper court and secure the appointment of a guardian for such infant or person of unsound mind, and thereupon such board shall give notice to such guardian, who shall thereupon appear and protect the interest of his ward: *Provided*, That if such infant, or person of unsound mind already has a guardian, such notice may be served upon such guardian. The requisites of notice to such guardian shall be the same as in the case of other notices. If there be defects or irregularities in the proceedings with respect to one or more interested persons, the same shall not affect such proceedings, except so far as it may touch the interests or property of such person or persons, and shall not avail any other person concerned therein. In case of such defect supplementary proceedings of the same general character as those heretofore prescribed may be had in order to supply the same.

SEC. 13. *Remonstrance against awards; appeal.*—Any person notified or deemed to be notified under the preceding sections may appear before such board on the day fixed for hearing such remonstrances with regard to such awards, and remonstrate in writing against the same. All persons appearing before said board having an interest in any such land or rights of way to be appropriated or injuriously affected, shall be given a hearing. After such remonstrances shall have been received and such hearing had, such board shall thereupon either sustain such awards or modify by increasing or decreasing the awards. Any person thus remonstrating in writing, who is aggrieved by the decision of the board, may within 10 days thereafter take an appeal to the circuit or superior court in the county in which such city is located. Such appeal shall only affect the amount of the award of the person appealing.

SEC. 14. *Trial on appeal.*—Such appeal may be taken by filing an original complaint in such court against such board of sanitary commissioners within the time named, setting forth the action of such board in respect to such award, and stating the facts relied upon as showing an error on the part of such board. Such court shall hear the matter of such award de novo and confirm, lower or increase the same, as may seem just. Said cause shall be tried by the court without the intervention of a jury, as other civil cases. The judge of such court shall have power to hear such appeal in vacation; and all such appeals shall be heard and determined by said court or the judge thereof in vacation, within 30 days from the time of the filing of said appeal. In case such court shall increase the amount of damages awarded, in favor of the property owner 10 per cent of the amount awarded by such board, the plaintiff in such appeal shall

recover costs, otherwise not. The amount of the judgement in such court shall be final, and no appeal shall lie therefrom.

SEC. 15. *Payment of damages.*—It shall be the duty of the board of sanitary commissioners, upon the completion of the award of damages, or upon the determination of such appeals taken, as hereinabove provided, to make out certificates for the proper amounts and in favor of the proper persons, upon the presentation of which to the city controller of said city, such person shall be entitled to a warrant on the city treasurer, who shall pay the persons named therein the amounts due them respectively, as shown by such certificate, out of the separate and specific fund derived from the sale of bonds as provided for in section 17 of this act, and such payments shall be made from no other source or funds whatsoever. Such certificates or vouchers shall, whenever practical, be tendered actually to the person entitled thereto, but where this is impractical, the same shall be kept for such persons in the office of the board and the making and filing of such certificates shall, in all cases, be deemed to be a valid and effectual tender to the person entitled thereto at the time or as soon as there shall be sufficient funds to pay the same, and the same shall be delivered him on request. In case of dispute or doubt as to which of the various persons said money shall be paid, said board shall make out the certificate in favor of the attorney appointed by said board for the use of persons entitled thereto, and said attorney shall thereupon draw the money and pay the same into the court in a proper proceeding requiring the various claimants to interplead and have their respective rights determined. In case where an injunction is obtained because damages have not been paid or tendered, said board may tender such certificate for the amount thereof with interest from the time of entry upon said property, if any has been made and all accrued costs, and thereupon the injunction shall be disposed of, provided there shall be sufficient funds to pay such certificate. The pendency of an appeal shall not affect the validity of a tender made under this section, but said board of sanitary commissioners shall be entitled to proceed with its appropriation of the property in question.

SEC. 16. *Notice; bids; contract.*—If such board of sanitary commissioners or the court in case any appeal is taken, shall finally confirm such resolution as aforesaid, such board shall cause to be published for three weeks once each week, in a newspaper of general circulation in such city, a notice informing the public and contractors of the general nature of the work and of the fact that detailed plans, drawings and specifications are on file in the office of such board and calling for sealed proposals for the construction of the work to be done under said resolution, at a date not earlier than 10 days after the last of such publications. Said board shall require each bidder to deposit with his respective bid a certified check for an amount not less than 2½ per cent of the engineer's estimate of such work to insure the execution of the contract for which such bid is made. Each bidder shall also be required to file with his bid an affidavit that he has not directly or indirectly entered into any combination, collusion, understanding or agreement with any other bidder to maintain the price of such work or contract, to prevent any other bidder from bidding, or to induce any bidder to refrain from bidding on such contract or work, and that such bidding is made without regard or reference to any other bidder and without any agreement, understanding or combination, either directly or indirectly with any other persons with reference to such bidding in any way or manner whatever.

If, after any contract has been let, it shall be made to appear that the successful bidder has been guilty of any collusion, combination, understanding or agreement, as defined in such affidavit, the successful bidder shall forfeit such contract and the work shall be relet by such board. The board may impose such conditions as it may deem necessary upon the bidders with regard to bond and surety, guaranteeing the good faith and responsibility of such bidders and the faithful performance of such work according to contract, and for keeping the same in repair for any given length of time or for any other purpose. The board shall have the right to reject any and all bids,

but if it does reject all bids, before other bids may be received notices shall be published as originally required. The board shall have power to let portions of said proposed work under different contracts. No contract shall be let at a bid higher than the cost thereof, as estimated by the board. It shall be expressly stated in all such contracts that payments for all work provided for therein shall be made only from the special fund derived from the proceeds of bonds as hereinafter authorized and not otherwise. In event of the execution of any contract for the construction of any sewage disposal plant or plants, or any sewers or other work of construction connected therewith under the provisions of this act, the validity of such contract shall not be questioned subsequently by any person except in a suit to enjoin the performance thereof, instituted within 15 days from the date of execution of such contract, and after 15 days from the execution of such contract all proceedings and orders of said board of sanitary commissioners preliminary and prior to and including said contract, shall be valid, conclusive and binding upon all persons whomsoever, and shall not thereafter be subject to attack.

Any additions or extensions to any sewage disposal plant, or sewers or drains or any other work constructed under the provisions of this act, shall be built under contract entered into under the provisions of this section in the same manner as the contract for the original plant or work. The cost of any such additions or extensions, and of any additional lands or rights of way acquired by said board, may be met by the sale of additional bonds to be issued and sold by the board, and the levy of special taxes to retire such bonds, all as provided in this act.

SEC. 17. *Sanitary district bonds.*—For the purpose of raising money to pay for said property and said construction, and in anticipation of said special tax to be levied as provided in sections 9 and 19 of this act, the board of sanitary commissioners shall cause to be issued, in the name of said city, the bonds of said sanitary district not to exceed in amount the total cost of all lands, rights of way and other property so to be acquired and the contract price of all work of construction as provided for in said resolution, and including all expenses necessarily incurred in connection with said proceedings, together with a sum sufficient to pay the cost of supervision and inspection during the period of construction of said work. The said expenses to be covered in the amount of such bond issue shall include all expenses of every kind actually incurred preliminary to the acquiring of said property and the construction of such work, such as the cost of necessary records, engineering expenses, publication of notices, salaries, and other expenses necessary to be incurred prior to and in connection with the acquiring of such property, the letting of such contract, and the sale of bonds as herein authorized.

In case different parcels of land are to be acquired, or more than one contract for work is let by said board at approximately the same time, whether under one or more resolutions of said board, it shall be lawful to provide for the total cost of the same in one issue of bonds. Such bonds shall be issued in any denomination not more than \$1,000 each, in not less than 20 nor more than 50 equal series, as said board shall determine, and shall be payable one series each year beginning on the first day of January of the second year following the date of their issue: *Provided*, That if said bond issue shall be made in any calendar year after the first day of October, then the first bond shall mature on the first day of January of the third succeeding year thereafter, and the balance of the bonds at the regular annual intervals hereinabove provided. Said bonds shall be negotiable as inland bills of exchange, and shall bear interest at a rate not exceeding 4½ per cent per annum, payable semiannually, on the first days of January and July of each year, the first interest to be payable on the first day of July preceding the maturity of the first series of such bonds. On adopting a resolution ordering said bonds, said board shall certify a copy of the same to the city controller of said city of the first class, who shall thereupon prepare said bonds, and the same shall be executed by the mayor of said city, and attested by the said city controller.

Such bonds shall be exempt from taxation for any and all purposes. All bonds so issued by said board shall be sold by the city controller to the highest bidder therefor, but in no event at less than par, after giving notice of sale of such bonds by publication in two newspapers of the largest general circulation printed and published in the city where said bonds are sold, which publication shall be made not less than 15 days prior to the date fixed for the sale of said bonds.

It shall be unlawful for said board of sanitary commissioners to cause to be issued under this section of this act, any bonds of said sanitary district payable by special taxation when the total issue for that purpose including the bonds already issued and to be issued, is in excess of eight-tenths of 1 per centum of the total assessed valuation (after deducting all mortgage exemptions) of the property within said sanitary district, and all bonds or obligations issued in violation of this provision shall be void. Said bonds shall not in any respect be a corporate obligation or indebtedness of said city, but shall be and constitute an indebtedness of said sanitary district, as a special taxing district, and said bonds and interest thereon shall be payable only out of a special tax levied upon all the property of said sanitary district, as in this act provided; and said bonds shall so recite such terms upon their face, together with the purpose for which they are issued. No suit to question the validity of said bonds so issued for said sanitary district, or to prevent their issue shall be instituted after the date set for the sale of said bonds, and all said bonds from and after said date shall be incontestable for any cause whatsoever.

SEC. 18. *Sanitary district bond fund.*—All the proceeds from the sale of said bonds under and pursuant to section 17 of this act, shall be kept as a separate and specific fund to pay the cost of land, rights of way and other property acquired and of construction of such work under such resolution, and all costs and expenses incurred in connection therewith, as herein provided, and no part of the same shall be used for any other purpose whatsoever. Such fund shall be deposited at interest with the depository or depositories of other public funds in such city, and all interest collected thereon shall belong to such fund. Any surplus of funds remaining out of the proceeds of said bonds after all of said costs and expenses are fully paid, shall be paid into and become a part of the sanitary district bond fund as hereinafter referred to.

SEC. 19. *Tax levy.*—For the purpose of raising money to pay all bonds issued as provided in section 17 and the interest thereon, the board of sanitary commissioners is hereby empowered to levy; and shall levy each year, a special tax upon all the property of said sanitary district, in such manner as to meet and pay the principal of said bonds as they severally mature, together with all accruing interest thereon. Said board shall cause said tax so levied each year to be certified to the city controller of said city and to the auditor of the county in which such sanitary district is located, on or before the first day of October in each year. Such tax so levied and certified shall be estimated and entered upon the tax duplicate by the county auditor, and shall be collected and enforced by the county treasurer, in the same manner as State and county taxes are now estimated, entered, collected and enforced; and as such tax is so collected by the county treasurer it shall be accumulated and kept in a separate fund to be known as the "sanitary district bond fund," and shall be applied to the payment of the aforesaid sanitary district bonds and interest as they severally mature and to no other purpose whatsoever: *Provided*, That all accumulations of such fund prior to their use for the payment of such bonds and interest shall be deposited at interest with the depository or depositories of other public funds in such city and all interest collected thereon shall belong to such fund.

SEC. 20. *Construction and repairs.*—In the event the board of sanitary commissioners shall deem it necessary to build, alter or repair any sewer, drain or appurtenance used in connection with such sewage disposal plant or plants, in whole or in part in any street, alley or other public place in such city of the first class or any incorporated town within the limits thereof, or in any highway outside the limits of such

city, it shall file with the board of public works of such city, or the board of trustees of such town, or the board of commissioners of the county in which such city is located, as the case may be, a petition and a map showing the route of such sewers or drain or the location of such structure or appurtenance proposed to be built, altered or repaired and the part of the street, alley, highway or other public place necessary to be used in such work. Such board of public works, board of town trustees, or board of county commissioners shall thereupon adopt a resolution granting the right to the board of sanitary commissioners to use such street, alley, highway, or other public place or the part thereof shown to be necessary in the proposed work. If the board of sanitary commissioners shall show in such petition that it is necessary to open or vacate any public street, alley, public place, or highway, it shall be the duty of the aforesaid authorities with whom such petition is filed to promptly begin the proper proceedings for such opening or vacation. The board of sanitary commissioners shall restore the surface of any street, alley, highway, or public place or any part thereof used by it, to the same condition the same was in prior to the performance of such work, within a reasonable time after the completion thereof.

Where the land or surface of any ground in which it is deemed necessary by the board of sanitary commissioners to build, alter or repair any sewer, drain, structure or appurtenance in connection with such sanitary disposal plant or plants, is already in use for any other public purpose, or has theretofore been condemned or appropriated for a use authorized by the statutes of this State, and is being used for such purpose by the corporation so appropriating it, such public use or such prior condemnation shall not be a bar to the right of such board to condemn the use of such ground for purposes in connection with the sewage disposal plant or plants: *Provided*, That such use by such board shall not permanently prevent the use of said land or of the surface of such ground for such public use or by the corporation theretofore condemning or appropriating such land: *And provided further*, That in any proceedings prosecuted by the board of sanitary commissioners to condemn the use of any such land or surface of said ground for purposes permitted by this act, the burden shall be upon such board to show that its proposed use will not permanently interfere with the continued public use of such land or surface of ground or by the corporation theretofore condemning the same or its successors.

SEC. 21. *Manner of levy and collection of tax.*—For the purpose of providing for the payment of all general expenses of said board of sanitary commissioners, including any salaries and other items of expense not properly chargeable into the cost of any property acquired or work done under any resolution of said board for which special taxing district bonds are issued, and for the further purpose of providing for the operation, maintenance and repair of any sewage disposal plant or plants, intercepting or connecting sewers and drains, and other permanent works constructed pursuant to the provisions of this act, a tax of 2 cents on each \$100 of taxable property in such city of the first class and in any such incorporated town located within the boundaries thereof, as the same appears on the tax duplicate, which shall be in addition to other taxes of said city and said town, shall be levied annually by the common council of said city, and by the board of trustees of said town, respectively, for sanitary purposes, and the county auditor shall estimate said taxes and enter the same upon the tax duplicate, and the county treasurer shall collect and enforce such taxes, in the same manner as State and county taxes are estimated, entered, collected and enforced. And said county treasurer shall between the first and tenth days of each month, notify the board of sanitary commissioners of the amount of such taxes collected for sanitary purposes during the preceding month, and upon the date of notification above referred to, the county treasurer shall credit an account to be known as "sewage disposal maintenance fund," with such amount of taxes for sanitary purposes as may have been collected at that time, and such fund shall be used and expended for no other purpose than as stated in this section. The said board of sanitary com-

missioners shall have full, complete and exclusive authority to expend for and on behalf of said city and such incorporated town located within the limits thereof, all sums of money thus realized: *Provided*, That warrants for such expenditures shall be drawn by the controller of such city upon vouchers of such board of sanitary commissioners.

Such board may by resolution authorize and make temporary loans in anticipation of revenues actually levied and in process of collection under this section, the securities evidencing such loans to be issued and sold in the same manner, and otherwise to be subject to the same conditions so far as applicable, as provided by law in the case of temporary loans by cities of the first class. All money remaining in either or any of the funds to the credit of the board of sanitary commissioners at the end of the calendar year shall continue to belong to such funds respectively, to be used by said board for the respective purposes for which funds are created; *And provided further*, That all funds raised under this section shall be deposited at interest with the depository or depositories of other public funds in such city, and all interest collected on such funds shall belong thereto.

SEC. 22. *Payments from fund*.—From the separate and specific fund derived from sale of such bonds as hereinabove provided, and from no other source, the said board of sanitary commissioners shall pay to the parties entitled thereto the amounts respectively due them for any lands, rights of way or other property so taken or purchased or for work done by contract or otherwise. In case said lands, rights of ways or other property or any part thereof are secured by purchase or contract, such payment shall be made according to the terms of such contract, and in case of any such property taken by condemnation as herein provided, the amount of damages so assessed shall be paid or tendered as herein provided, within 90 days after the final determination of such condemnation proceedings or as soon thereafter as the fund arising from said bonds is available, and thereupon the title of such lands, rights of way or other property or that portion thereof so paid for or otherwise acquired for such purpose, shall become fixed and vested in such city in the manner, to the extent, for the purpose and subject to the limitations hereinbefore provided. The board of sanitary commissioners shall order payments from such fund to be made to contractors in such amount and at such times as they may determine, but no payment shall be made by such board for more than 80 per cent of the board of sanitary commissioners engineers' estimate of work done by the contractor, nor shall the whole amount of the contract be paid until all work to be constructed under any such contract shall have been accepted as fully completed in accordance therewith by said board of sanitary commissioners.

SEC. 23. *Recording description of land or rights*.—Within 60 days after any land or right therein is paid for and acquired under this act, the board shall file and cause to be recorded in the recorder's office in the county in which the land is situated, a description thereof, sufficiently accurate for its identification, with a statement of the purpose for which it is acquired or taken, which shall be signed by a majority of the board.

SEC. 24. *Authority of board to expend funds*.—No part of any of the funds raised under the provisions of this act shall be expended except upon warrants drawn by the city controller upon vouchers of said board of sanitary commissioners. No appropriation in any form shall be necessary, but all funds arising under the provisions hereof shall be deemed appropriated to the respective purposes herein named, and shall be under the control of the board of sanitary commissioners as herein provided, and said board shall have full, complete and exclusive authority to expend such funds for the purposes herein provided.

SEC. 25. *Maintenance of sewers*.—After the erection and completion of any sewage disposal plant and the sewers connected therewith as in this act provided, such city of the first class and any such incorporated town within the limits thereof shall con-

struct, erect and maintain all sewers and drains so that the same shall, either directly or indirectly, convey all sewage and drainage matter into such sewage disposal plant or sewers connected therewith.

SEC. 26. Penalty for violation.—Any officer, employee or person who shall apply any money raised pursuant to this act to any purpose other than as herein provided, or who shall expend any such money otherwise than by voucher and warrant, as herein provided, shall upon conviction be fined in any sum not more than \$1,000, to which may be added imprisonment for any period not more than 14 years.

County Tuberculosis Hospitals—Establishment. (Ch. 170, Acts of 1917.)

SECTION 1. Hospital; establishment; petition; election; tax levy.—That section 1 of the above entitled act¹ be amended to read as follows:

SECTION 1. That the board of county commissioners of any county shall have the power to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis; when the board of county commissioners of any county shall have voted to establish such a hospital, it shall have the following power:

To purchase or lease real property therefor, or acquire such real property, and easements therein, by condemnation proceedings in the manner prescribed by law.

To erect all necessary buildings, make all necessary improvements and repairs and alter any existing buildings, for the use of said hospital: *Provided*, That the plans for such erection, alteration or repair shall first be approved by the State board of health.

To cause with the approval of the county council, to be assessed, levied and collected such sums of money as it shall deem necessary for suitable lands, buildings and improvements for said hospital and for the maintenance thereof, and for all other necessary expenditures therefor; and to borrow money for the erection of such hospital and for the purchase of a site therefor, on the credit of the county and issue county obligations therefor, in such manner as it may do for other county purposes.

To appoint a board of managers for said hospital as hereinafter provided.

To accept and hold in trust for the county, any grant or devise of land, or any gift or bequest of money or other personal property or any donation to be applied, principal or income or both, for the benefit of said hospital and apply the same in accordance with the terms of the gift.

Whenever the board of county commissioners of any county shall be presented with a petition signed by 200 resident freeholders of such county, asking that the board of county commissioners submit to the voters of such county the question whether such hospital shall be established, the board of county commissioners shall submit the question to the voters of the county at the next regular election. And if a majority of the voters voting thereon shall favor the establishment of such hospital, then the board shall establish the same as provided in this act. The petition shall specify the amount of tax to be levied and the maximum amount proposed to be expended by such county in the purchasing or building of such hospital.

The form of the ballot issued at such election shall be substantially as follows:

Yes	Shall the county of establish a hospital for the treatment of tuberculosis at a cost to county not to exceed
No	..... dollars?

The votes shall be canvassed and returns made to the clerk of the circuit court who shall canvass the same and file a statement of the result with the board of county commissioners.

Milk—Grading—Labeling. (Reg. Bd. of H., Apr. 13, 1917.)

The rules of the State board of health passed July 2, 1915, and legally promulgated and entitled rules of the Indiana State Board of Health regulating minimum standards for food and drugs, defining specific adulterations, and declaring the proper methods of collecting and examining drugs and articles of food, are amended to read as follows, to wit, and shall be in force on and after January 1, 1918.

Section B. Milk and its products, subhead *a*, milks, shall have added paragraphs 10, 11 and 12 as follows, to wit:

PAR. 10. *Grade A; Raw milk.*—Milk of this grade shall come from cows free from disease as determined by tuberculin tests and physical examinations by a qualified veterinarian, and shall be produced and handled by employees free from disease as determined by medical inspection of a qualified physician, under sanitary conditions, such that the bacterial count, shall not exceed 10,000 per cubic centimeter at the time of delivery to the consumer. It is recommended that dairies from which this supply is obtained shall score at least 80 on the United States Bureau of Animal Industry score card.

Pasteurized milk.—Milk of this grade shall come from cows free from disease as determined by physical examinations by a qualified veterinarian, and shall be produced and handled under sanitary conditions, such that the bacteria count at no time exceeds 200,000 per cubic centimeter. All milk of this class shall be pasteurized under official supervision, and the bacteria count shall not exceed 10,000 per cubic centimeter at the time of delivery to the consumer. It is recommended that dairies from which this supply is obtained shall score at least 65 on the United States Bureau of Animal Industry score card.

PAR. 11. *Grade B.*—Milk of this grade shall come from cows free from disease, as determined by physical examination of which one each year shall be by a qualified veterinarian, and shall be produced and handled under sanitary conditions, such that the bacteria count at no time exceeds 1,000,000 per cubic centimeter. All milk of this class shall be pasteurized under official supervision and the bacterial count shall not exceed 50,000 per cubic centimeter when delivered to the consumer.

Milk dealers shall be required to have a permit or license to sell any grade or class of milk and to use a label for such grade or class. Such permit or license shall be granted only after the local health department has determined that the milk of the dealer actually belongs to the grade, and it shall be revoked and the use of the label forbidden when it is determined that the milk is not in the grade or class designated.

All milk shall be labeled and marked with the grade in which it is to be sold. Besides the letter of the grade, that is, "Grade A," "Grade B," "Grade C," and the words "raw" or "pasteurized", the label shall also show the name of the producer or distributor.

Milk not suitable for human consumption may be sold for industrial purposes, provided it be heated to a higher temperature than necessary for pasteurization, and delivered in a distinctive container plainly marked with the words—"Not suitable for human consumption" in letters not less than one-fourth inch in length and one-twelfth inch stroke.

The tuberculin test required in the case of cows producing "Grade A" milk shall be administered only by qualified veterinarians who have been authorized to make the test by the State veterinarian.

Health officers are hereby instructed to adopt such methods of inspection and regulation as may be necessary to carry out the provisions of these rules.

These rules shall be in force on and after January 1, 1918.

PAR. 12. *Grade C.*—Milk of this grade shall come from cows free from disease as determined by physical examinations, and shall include all milk that is produced

under conditions such that the bacteria count is in excess of 1,000,000 per cubic centimeter.

All milk of this class shall be pasteurized, or heated to a higher temperature, and shall contain less than 50,000 bacteria per cubic centimeter when delivered to the consumer.

Buildings Unfit for Human Habitation—Vacation—Abatement of Nuisances. (Ch. 21, Acts of 1917.)

SECTION 1. *Buildings unfit for human habitation.*—That whenever it shall be certified to the State board of health, or to the board of health of any city or town or the health commissioner of any county in this State, or whenever such board or commissioner shall have knowledge that a dwelling or any part thereof is unfit for human habitation, or dangerous or detrimental to life or health by reason of want of repair, or of defects in the drainage, plumbing, lighting, ventilation or the construction of the same, or by reason of being infected with contagious disease, or for any other cause, or by reason of the existence on the premises of a nuisance likely to cause sickness among occupants of said dwelling; the State board of health, the board of health of any city or town or the health commissioner of any county may, within their respective jurisdiction, issue an order requiring all persons therein to vacate such dwelling or part thereof within not less than 5 days nor more than 15 days for one or more of the reasons to be mentioned in said order. Such board of health or health commissioners shall at any time for good cause shown, extend the time within which to comply with such order, and whenever satisfied that the danger from said dwelling has ceased to exist and that it is fit for habitation may revoke such order.

SEC. 2. *Duty of board of health to order improvement.*—Whenever any dwelling or any building, structure, excavation, business, pursuit, matter or thing, in or about a dwelling or the lot upon which it is situated, or the plumbing, sewerage, drainage, light or ventilation thereof, is in the opinion of the State board of health, the board of health of any city or town, or the health commissioner of any county, in a condition or in effect dangerous or detrimental to life or health, such board or commissioner may declare that the same to the extent they may specify is a public nuisance, and may order the same to be removed, abated, suspended, altered, improved or purified as the order may specify. In addition to the above powers, said board of health or commissioner may also order or cause any dwelling or excavation, building, structure, sewer, plumbing, pipe, passage, premises, ground, matter or thing, in or about a dwelling or the lot upon which it is situated, to be purified, cleansed, disinfected, renewed, altered, repaired, or improved. If any order of a board of health or commissioner issued under the authority of the provisions of this act is not complied with or so far complied with as such board of health or commissioner may regard as reasonable, within such time as they may designate, then such order may be executed by said board of health or commissioner by themselves or through their officers, agents, or employees. Such orders shall be served upon the tenant and owner, or his rental agent for the premises, but may be served on any person who may have by contract with the owner assumed the duty of doing those things which the order may specify.

SEC. 3. *Appeal to circuit court; bond.*—Any person who feels himself aggrieved by any order provided in this act, may within 10 days of the making of such order file his petition with the circuit or superior court of the county praying a review of such order, and it shall be the duty of such court to hear the same at the first convenient day and to make such order in the premises as right and justice may require and such decision shall be final. Such party appealing to the circuit or superior court shall file with said court a bond in an amount to be fixed by the court with sureties to be approved by the judge of the court conditioned to pay all the costs on such appeal in case such person fails to sustain his appeal or the same be dismissed for any cause.

Such proceedings shall be docketed as an action between such appellant and such board or commissioner, and shall be tried as civil actions are tried. The corporation counsel or the department of law in the city or town and prosecuting attorney in cases arising outside of cities and towns and in cities and towns which may not have a department of law or any other legal representatives, shall attend to all proceedings on the part of the board or commissioner.

SEC. 4. *Penalty; attorney's fee.*—Any person who shall violate any provision of this act or who shall fail to comply with any lawful order of the board of health or commissioner as provided in this act shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$25 or imprisonment for not less than 10 days nor more than 30 days and each day such violation or failure to comply shall continue, shall constitute a separate offense. Any person violating this act or failing to comply with any lawful order of any board or officer as provided in this act shall be liable for all costs and expenses paid or incurred by a board of health or commissioner in executing any lawful order, which may be recovered in a civil action brought by such board or commissioner who shall in such action also recover attorneys' fees reasonable in such action.

SEC. 5. *Limitations of act.*—Nothing herein shall be deemed to repeal any existing valid city or town ordinance dealing with any of the subject matter of this act, and the inspector of buildings in any city or town shall, within the limits of the city or town in which he is an official, have and exercise all the powers granted to such inspector in such ordinance, and such inspector may exercise any of the powers granted in this act to boards of health or health commissioners.

SEC. 6. *State board of health.*—The State board of health shall not exercise any of the powers granted to it in this act without first giving notice to the board of health of the city or town or the health commissioner of the county setting forth the conditions which have been certified to it or of which it has knowledge. Upon failure of such board of health or commissioner to act within three days after such notice the State board of health may exercise the powers herein granted.

SEC. 7. *"Dwelling" defined.*—The word "dwelling" wherever used in this act shall be taken to include not only any dwelling house and parts thereof, but also any part of any building used as a place of residence or habitation by any person, or for sleeping purposes.

Mattresses—Manufacture, Labeling, and Sale. (Ch. 136, Acts of 1917.)

SECTION 1. *Material restricted; duty of State board of health.*—That section 1 of the above entitled act [An act to provide for the branding and labeling of mattresses and comforts, and to provide against the use of unsanitary, unhealthy, old or secondhand material in the manufacture of mattresses and comforts and to provide against the sale of mattresses or comforts containing unsanitary, unhealthy, old or secondhand materials, approved Mar. 14, 1913] be amended to read as follows:

SECTION 1. (1) No person, firm or corporation, by himself or his agents, servants, or employees, shall employ or use in the making, remaking, or renovating of any mattresses: (a) Any material of any kind that has been used in or formed a part of, any mattress used in or about any public or private hospital, or institution for the treatment of persons suffering from disease, or for or about any person having any infectious or contagious disease; (b) any material known as "shoddy" and made in whole or in part from old or worn clothing, carpets, or other fabric, or material previously used, or any other fabric or material from which "shoddy" is constructed. (2) No person, firm or corporation, by himself, or by his agents, servants, or employees, shall sell, offer to sell, deliver, or consign, or have in his or their possession with intent to sell, deliver, or consign, any mattress made, remade, or renovated in violation of subsection 1 of this section. (3) It shall be the duty of the State board of health, whenever there is reason to believe that any provision of this act is being violated, to cause an

investigation to be made of any factory, shop, warehouse, store, or other place where it is believed this act is being violated; and for this purpose any member of the said board, or any duly accredited representative thereof, or any official named in subsection 4 (a) of this section, shall have authority to enter any building or other place at all reasonable times.

If, upon investigation, mattresses, cushions, quilts, or similar articles, or materials used in the manufacture of same, shall be found, which have been previously used in or about a hospital, or on or about the person of any one having an infectious or contagious disease, such materials or articles, manufactured or in process of manufacture, shall be marked by the State board of health, with labels bearing the word "condemned" in conspicuous letters, and the State board of health, with or without notice to the owner or supposed owner, may order the removal or destruction of the said materials or articles, or may make such other order relating to said materials or articles as the circumstances of the case may require. (4) (a) It shall be the duty of any police officer or member of any municipal board of health, or other county or town official, or any peace officer, or any State or county health officer who has reason to believe that the provisions of this act have been or are being violated, to give notice thereof to the State board of health, and to give notice to and to fully advise the prosecuting attorney of the district and said prosecutor shall without delay proceed to enforce this act. (b) Any individual who has reason to believe that this act has been or is being violated may present the relevant facts to the State board of health or any of its deputies; in which case it shall be the duty of the said board of health to make an investigation of such facts as of its own initiative and if the said board is of the opinion that the act has been or is being violated, to prosecute the person, firm or corporation guilty thereof. Any individual may institute proceedings to enforce this act and to punish violations of its provisions.

SEC. 2. *Form of brand.*—That section 3 of the above entitled act be amended to read as follows:

SEC. 3. (1) No person, firm or corporation, by himself or his agents, servants or employes, shall directly or indirectly, at wholesale or retail, or otherwise, sell, offer for sale, deliver, or consign, or have in his possession with intent to sell, deliver, or consign, any mattress that shall not have plainly and indelibly stamped or printed thereon, or upon a muslin, linen, or cloth-lined tag not smaller than two and one-half by three inches securely sewed to the covering thereof, a statement plainly printed in the English language setting forth the kind or kinds of material used in the manufacture or filling of said mattress, giving the total weight and the percentage of each material used therein, and the name and address of the manufacturer or vendor thereof. (2) Any mattress made from new material not previously used, known as "shoddy" shall have stamped or printed upon the tag or label in type not smaller than 20 point the words "shoddy material."

SEC. 3. *Penalty.*—That section 10 of the above entitled act be amended to read as follows:

SEC. 10. Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$20, and not to exceed \$100 for each offense, or by imprisonment for not less than 3 months and not exceeding 6 months in the county jail, or by both such fine and imprisonment.

Comfort Stations and Swimming Pools—Certain Cities Authorized to Construct and Maintain. (Ch. 158, Acts of 1917.)

SECTION 1. *Park boards may construct comfort stations and natatoriums.*—That the board of park commissioners of all cities having a population of not less than 45,000 nor more than 58,000 according to the last preceding United States census, be, and are hereby authorized and empowered to erect, construct and maintain on and within

any land used or owned by the city for park or other public purposes, comfort stations, natatoriums, or swimming pools. The common councils of such cities are authorized to appropriate money from the general fund of the city to the use of the board of park commissioners for the above named purposes, which shall be in addition to any funds raised for the use of such board by a tax levy or from any other source.

Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Ch. 55, Act Mar. 5, 1917.)

SECTION 1. *Advertising regulations; penalty.*—That any person, firm, corporation or association, who with intent to sell or in any manner dispose of merchandise, securities, service, or anything offered by such person, firm, corporation or association directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto or any interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes directly or indirectly, to be made, published, disseminated, circulated, or placed before the public in this State, in a newspaper or other publication or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading shall be guilty of a misdemeanor, and shall be liable to a fine of not less than \$10 nor more than \$100 for each offense: *Provided, however,* That the provisions of this act shall not apply to any owner, publisher, printer, agent or employe of a newspaper or other publication, periodical or circular who, in good faith, and without knowledge of the falsity or deceptive character thereof, publishes, causes to be published, or takes part in the publication of such advertisement.

SEC. 2. *Repeal.*—That an act entitled "An act relating to untrue and misleading advertisements," approved March 14, 1913, be and the same is hereby repealed.

IOWA.

Quarantine Officers—Appointment and Removal—To be Under Civil Service. (Ch. 73, Act Mar. 28, 1917.)

SECTION 1. Quarantine officers.—That whenever the board of health of any city of the first class or any city under special charter shall appoint any permanent officer to enforce the provisions of law or rules of the boards of health relative to quarantine, he shall be appointed with the rank of captain under and subject to all of the provisions of sections 679-e, 679-h, 679-i, 679-j and 679-k, supplement to the code, 1913, in so far as they can be made applicable, and the health officer shall have the same authority under such sections relative to such quarantine officer as the chief of police has with respect to police officers.

Births, Deaths, Marriages, and Divorces—Registration. (Ch. 326, Act Apr. 23, 1917.)

SECTION 1. Registrar of vital statistics; duties.—That for the complete and proper registration of births and deaths for legal, sanitary and statistical purposes, the secretary of the State board of health is hereby constituted State registrar of vital statistics, without salary other than that received for his being secretary of the State board of health, and it shall be his duty to promulgate and enforce all necessary rules and regulations that may be required to carry out the purposes and provisions of this act.

SEC. 2. Deaths; duty of undertaker and physician; certificates of death.—That the undertaker or the person in charge of the funeral of any person dying in the State of Iowa shall cause a certificate of death to be filled out, in original and duplicate, the original to be sent to the State registrar as hereinafter provided and the duplicate to be filed with the proper cemetery authorities where the body is buried for the cemetery's record, with all the personal particulars contained in the standard blanks adopted by the United States Census Bureau, and with a statement of cause of death by the attending physician, whose duty it shall be to furnish such information to the undertaker or person in charge of the funeral of any person dying in the State of Iowa promptly after death has occurred, or in the absence of the attending physician, or if there be no attending physician, by the health officer or coroner, and shall file it with the State registrar, capitol building, city of Des Moines, on or before the fifth day of each month for the month preceding, and the undertaker or person in charge of the funeral of any person to be buried in Iowa shall issue the burial permit as provided by the State board of health and shall furnish said permit and a copy of the death certificate, if the person died in Iowa, otherwise shall make a copy from the shipping blank if the body is shipped into Iowa and having died outside the State, to the cemetery authorities where the body is to be buried, and no sexton or superintendent or person in charge of a cemetery shall permit burial or interment, and no railroad or other transportation company shall permit shipment of the body unaccompanied by such certificate of death; and no body shall be disinterred without a special permit from the State board of health.

SEC. 3. Blanks.—That the State registrar shall furnish blank certificates of death in original and duplicate forms to physicians and undertakers, and all proper forms and instructions for the effectual working and execution of this law.

SEC. 4. Transcripts of certificates of death; preservation of originals.—That it shall be the duty of the State registrar to furnish to the clerk of the district court of each county on or before the first day of April of each year, certified transcripts of the certificates of death filed with him from the respective counties, and the United States Census

Bureau at Washington, D. C., shall have the privilege of making copies of said transcripts, but at the expense of the United States Census Bureau, and not at the expense of the State, and to arrange by counties, bind and deposit in the State historical building at Des Moines, the original death certificates; and transcripts sent to each county shall be bound at the expense of said county, and preserved for reference by the clerk of the district court.

SEC. 5. *Births; duty of clerk.*—That for the complete and proper registration of births for legal, sanitary and statistical purposes, the clerk of the district court of each county shall be the county registrar, and it shall be his duty to inform all physicians, midwives, should there be any midwives, and the people in general in his county that all births must be properly reported to the clerk of the district court in the manner prescribed in section 6 of this act.

SEC. 6. *Certificates of birth.*—That a certificate of birth of the standard form adopted by the United States Census Bureau shall be made out by the physician, midwife, or other person attending the birth of every child born in the State of Iowa, or in default of such person by the parent, householder, superintendent of an institution, or other responsible person, and filed with the clerk of the district court in the county where the child is born within 10 days after birth. In case the child is not named, the clerk of the district court shall deliver a supplementary blank for report of given name to the person filing the certificate, to be filled out and returned as soon as the child shall be named, and which shall be attached to the birth certificate of the child which has been previously reported and not named.

SEC. 7. *Certificates of birth; preservation; records and reports.*—That clerks of district courts shall deliver all certificates of birth filed with them for any month to the State registrar, capitol building, city of Des Moines, on or before the fifth day of the following month. Clerks of district courts shall record, number and index, in order of filing, all certificates of birth in a proper record book, the form of which shall be furnished by the State registrar and shall be uniform throughout the State, and said record book shall be furnished by the county. Clerks of district courts shall mail certificates of birth to the State registrar, State board of health office, capitol building, city of Des Moines, in a stamped return envelope provided by the State registrar, and shall include a statement card showing the number returned, with the registered numbers, and that no other births have occurred and failed to be registered. In case no births have occurred, then the clerk of district court shall make a report to that effect upon a postal card blank provided by the State registrar. The State registrar shall arrange by counties, bind and deposit in the State historical building at Des Moines, the original birth certificates in the same manner as death certificates are deposited.

SEC. 8. *Blanks.*—That the State registrar shall furnish blank certificates of birth to clerks of district courts for distribution among physicians, midwives, should there be any midwives, and others, and shall supply clerks of district courts with all necessary forms and instructions to be furnished by the county for the effective working and execution of this law.

SEC. 9. *Appropriation.*—That beginning July 1, 1917, there is hereby appropriated the sum of \$3,000 annually, or so much thereof as may be necessary, to pay the expense of printing, postage, extra clerk hire, and such other expense as may be required in the State registrar's office. All bills to be itemized, certified to and approved by the State registrar; and the State auditor is hereby authorized to draw warrants upon any money in the State treasury not otherwise appropriated to pay the expenses in accordance with the provisions of this act and this section (section 9). This appropriation is to be used in carrying out the provisions of chapter 16-B, title XII., of the supplement to the code, 1913, until January 1st, when it will be repealed, 1918, when this act shall take effect. The appropriation here made must pay the expenses

of the law which is to be repealed by this act, and pay the expenses of this act for the fiscal year beginning July 1, 1917, and ending June 30, 1918.

SEC. 10. *Marriages and divorces; duty of clerk.*—That the clerk of the district court in each county shall keep a book that shall be uniform throughout the State in which shall be recorded all marriages and divorces occurring within the county, together with such data respecting the same as shall be required by the State registrar and shall report to said State registrar on or before the first day of August in each year, such data respecting such marriages and divorces for the year ending June 30th, immediately preceding; and the clerk of the district court of each county shall keep a book in which shall be recorded all births occurring within the county, and which shall have been reported to him as the county registrar of births, and as provided in section 7 of this act, and shall furnish reports of births promptly as required in said section 7 of this act.

SEC. 11. *Certified copies of records; evidence.*—That the State registrar shall, upon request, supply to any applicant, for legal or other proper purposes, a certified copy of the record of any birth or death registered under the provisions of this act, for the making and certifying of which he shall be entitled to a fee of 50 cents to be paid by the applicant: *Provided*, That the United States Census Bureau may obtain, without any expense to the State transcripts of certified copies of births and deaths without payment of the fees herein prescribed. Any such copy of the record of a birth or death, when properly certified by the State registrar, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records, when no certified copy is made, the State registrar shall be entitled to a fee of 50 cents for each hour or fractional part of an hour of time of search, said fee to be paid by the applicant. And the State registrar shall keep a true and correct account of all fees by him received under these provisions, and turn the same over to the State treasurer at the end of each month.

SEC. 12. *Penalties; duty of county attorney.*—That any undertaker, person acting as undertaker, physician, midwife, clerk of district court, sexton, agent of a transportation company, or other person violating any of the provisions of this act or failing to properly register a birth or death as herein required, shall, upon conviction, be considered guilty of a misdemeanor, and shall be fined not less than \$5 and not more than \$100, or be imprisoned not more than 30 days, or be subjected to both such fine and imprisonment, at the discretion of the court. It shall be the duty of the county attorney in each county, upon complaint of the clerk of the district court as the county registrar of births, or the State registrar, to aid in the enforcement of this act, and the State registrar shall endeavor to see that this act is uniformly and officially executed throughout the State.

SEC. 13. *Time act becomes effective.*—That the provisions of this act shall become of full force and effect, January 1, 1918, except the appropriation which becomes effective July 1, 1917, to carry out the provisions of the old and the new law for the fiscal year.

SEC. 14. *Repeal of inconsistent acts; system exclusive.*—That all acts and parts of acts, in so far as they relate to this act, are hereby repealed, after January 1, 1918, and no system for the registration of births and deaths shall be continued or maintained in any of the several counties, communities or municipalities of this State other than the one provided for and established by this act.

Mattresses and Comforts—Manufacture, Labeling, and Sale. (Ch. 406, Act Apr. 25, 1917.)

SECTION 1. *Sale, etc., of unbranded mattresses.*—That no person shall, within the State, manufacture for sale, knowingly offer for sale, sell, deliver or have in his possession with intent to sell or deliver any mattresses or comfort which is misbranded or mislabeled within the meaning of this act.

SEC. 2. *Unbranded mattresses, etc.; sales prohibited.*—Mattresses and comforts shall be branded, or labeled, as hereinafter provided before being exposed for sale, and shall not be exposed without such brand or label.

SEC. 3. *Brand; requirements.*—The brand or label required by the next preceding section shall contain printed in plain type in the English language a true statement of the quality and character of the material with which such mattress or comfort is filled, and that it consists wholly of new and heretofore unused material. Such brand or label shall be placed upon each mattress or comfort.

SEC. 4. *Attaching brand.*—Such label shall be in the form of cloth or cloth-lined tag, to be sewed or otherwise securely attached to each article.

SEC. 5. *Brands; where placed.*—Such brand or label shall be placed outside of and upon the most conspicuous part of the finished article.

SEC. 6. *Possession; conditions.*—A person dealing in mattresses or comforts as described in this act shall not have them in possession for the purpose of sale or offer them for sale, without the brand or label required by this act, or remove, conceal or deface the brand or label thereon.

SEC. 7. *Prohibited materials.*—No person within this State shall use, either in whole or in part, in the manufacture of mattresses or comforts any cotton, or other materials which have been used for any purpose whatever.

SEC. 8. *Use of "shoddy."*—No person within this State, shall use, either in whole or in part, in the manufacture of mattresses or comforts, any material known as "shoddy" and made in whole or in part from old or worn clothing, carpets, or other fabric, or material previously used, or any other fabric or material from which shoddy is constructed.

SEC. 9. *Mattresses; scope of term.*—A mattress or comfort within the meaning of this act shall include any quilted bed or pad, tufted or not tufted, stitched or otherwise finished bed or pad stuffed with excelsior, cotton, hair, husks, sea moss, bambee, wool, fiber, floss, kapock, felted cotton, African fiber, Louisiana tree moss, or other material used for this purpose, sterilized feathers excepted.

SEC. 10. *Felt or felted cotton.*—If labeled felt or felted cotton, it is understood that the cotton or material has all been carded in layers or sheets by a Garnett or cotton felting machine.

SEC. 11. *Penalty.*—A person who sells, offers for sale, gives away, manufactures or causes to be manufactured with intent to sell, any mattresses or comforts which are not branded or labeled pursuant to the provisions of this act, or who falsely brands or labels any mattresses, or comforts, or who knowingly fails or neglects to state the true and actual quality of the materials used in any mattress or comfort, shall upon conviction thereof be fined not less than \$25, nor more than \$500, or imprisoned in the county jail not more than 6 months or both.

SEC. 12. *County attorney; duty.*—When any peace officer or health officer has reason to believe that any of the provisions of this act is being violated, he shall fully advise the prosecuting attorney of the district and said prosecutor shall without delay proceed to enforce this act.

Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Ch. 190, Act Apr. 9, 1917.)

SECTION 1. *Fraudulent advertisements.*—The law as it appears in section 5051-a, supplement to the code, 1913, is hereby repealed, and the following enacted in lieu thereof.

Any person, firm, corporation or association, who, with intent to sell, or in any wise dispose of merchandise, securities, service or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or any

interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes to be made, published, disseminated, circulated, or placed before the public in this State, either directly or indirectly, in a newspaper or other publication or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact, relating to said merchandise, securities or service offered for sale, or relating to the sale thereof, which is untrue, deceptive or misleading, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than \$10, or not more than \$100 or 30 days in jail for each offense: *Provided, however,* That the provisions of this act shall not apply to any owner, publisher, printer, agent or employee of a newspaper or other publication, periodical or circular who, in good faith and without knowledge of the falsity or deceptive character thereof, publishes, causes to be published, or takes part in the publication of such advertisement.

KANSAS.

Communicable Diseases—Powers of State Board of Health Relative to—Penalty for Certain Offenses. (Ch. 205, Act Feb. 27, 1917.)

SECTION 1. For the better protection of the public health and for the control of communicable diseases, the State board of health shall designate such diseases as are infectious, contagious or communicable in their nature, and the State board of health is herewith authorized to make and prescribe rules, regulations and procedures for the isolation and quarantine of such diseases, and persons afflicted with or exposed to such diseases, as may be necessary to prevent the spread and dissemination of diseases dangerous to the public health. Such rules, regulations and procedures shall be published in the official State paper, and when so published shall be in full force and effect.

SEC. 2. Any person violating or refusing or neglecting to obey any of the rules and regulations or procedures made by the State board of health for the prevention, suppression and control of dangerous, contagious, infectious or communicable diseases, or who shall leave any pesthouse or isolation hospital or quarantined house or place without the consent of the proper health officer having jurisdiction, or who evades or breaks quarantine, or knowingly conceals a case of contagious, infectious or communicable disease, or who removes, destroys or tears down any quarantine card, cloth or notice posted by the attending physician or by the health officer, or by direction of a proper health officer, shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than \$25 or more than \$200, or to imprisonment in the county jail not to exceed 90 days, or to both fine and imprisonment.

Communicable Diseases—Notification of Cases—Quarantine—Placarding—Disinfection—Sale of Dairy Products—Attendance at Schools and Public Gatherings—Funerals—Carriers—Travel of Infected Persons—Precautions Against Spread of Venereal Diseases—School Sanitation. (Reg. Bd. of H., June 13, 1917.)

PART 1. RULE 1. (a) The following-named diseases are hereby declared to be infectious, contagious and communicable in their nature:

GROUP I.

Actinomycosis.	Mumps.
Anthrax.	Ophthalmia neonatorum (conjunctivitis of newborn infants).
Chicken pox.	Paratyphoid fever.
Cholera, Asiatic (also cholera nostras when Asiatic cholera is present or its importation threatened).	Plague.
Continued fever lasting 7 days.	Pneumonia (acute lobar).
Dengue.	Poliomyelitis (acute infectious).
Diphtheria.	Rabies.
Dysentery.	Scarlet fever.
(a) Amebic.	Septic sore throat.
(b) Bacillary.	Smallpox.
Erysipelas.	Tetanus.
Favus.	Trachoma.
German measles.	Trichinosis.
Glanders.	Tuberculosis (all forms; the organ or part affected in each case to be specified. To be reported on special card as required by section 10129, General Statutes 1915).
Hookworm disease.	Typhoid fever.
Leprosy.	Typhus fever.
Malaria.	Whooping cough.
Measles.	Yellow fever.
Meningitis:	
(a) Epidemic cerebrospinal.	
(b) Tuberculous.	

(b) Inasmuch as the control and abatement of infectious, contagious or communicable diseases depends upon the knowledge of the existence or location of cases of such diseases by the local and State boards of health, it is hereby ruled that the diseases named in paragraph (a) shall be declared to be notifiable diseases, and the occurrence of cases of such diseases shall be reported as herein provided. Hereafter each and every physician or other practitioner of the healing art practicing in the State of Kansas who treats or examines any person suffering from or afflicted with, or suspected to be suffering from or afflicted with, any one of the notifiable diseases named above shall immediately report such case of notifiable disease in writing to the local health authority having jurisdiction. Said report shall be forwarded either by mail or by special messenger and shall give the following information:

1. The date of the onset of such disease.
2. The name of the disease or suspected disease.
3. The name, age, sex, color, nativity, occupation, address, and school attended or place of employment of patient.
4. The number of adults and of children in the household.
5. Source or probable source of infection or origin or probable origin of the disease.
6. The name and address of the reporting physician.

Provided, That if the disease is, or is suspected to be, smallpox, the report shall, in addition, show whether the disease is of the mild or virulent type, and if the disease is, or is suspected to be, smallpox or typhoid fever, whether the patient has ever been successfully vaccinated, and if the patient has been successfully vaccinated the number of times and dates or approximate dates of such vaccination; and if the disease is, or is suspected to be, cholera, diphtheria, plague, scarlet fever, smallpox, or yellow fever, the physician shall, in addition to the written report, give immediate notice of the case to the local health authority in the most expeditious manner available; and if the disease is, or is suspected to be, tuberculosis, typhoid fever, paratyphoid fever, scarlet fever, diphtheria, or septic sore throat, the report shall also show whether the patient has been, or any member of the household in which the patient resides, is engaged or employed in the handling of milk for sale or preliminary to sale.

(c) The requirements of the preceding paragraph shall be applicable to physicians attending patients ill with any of the notifiable diseases in hospitals, asylums, or other institutions, public or private: *Provided*, That the superintendent or other person in charge of any such hospital, asylum, or other institution in which the sick are cared for, may with the written consent of the local health officer (or board of health) having jurisdiction, report in the place of the attending physician or physicians the cases of notifiable disease and disabilities occurring in or admitted to said hospital, asylum, or other institution in the same manner as that prescribed for physicians.

(d) Whenever a person is known or is suspected to be afflicted with a notifiable disease, or whenever the eyes of an infant under two weeks of age become reddened, inflamed, or swollen, or contain an unnatural discharge, and no physician is in attendance, an immediate report of the existence of the case shall be made to the local health officer by the midwife, nurse, attendant, householder or other person in charge of the patient.

(e) The written reports of cases of notifiable diseases as required of physicians by this rule shall be made upon blanks supplied for the purpose, through the local health authorities, by the State board of health.

(f) Local health officers or boards of health shall, within 7 days after the receipt by them of reports of cases of the notifiable diseases, forward by mail to the State board of health the original written reports made by physicians, after first having transcribed the information given in the respective reports in a book or other form of record for the permanent files of the local health office. On each report thus forwarded the local health officer shall state whether the case to which the report pertains was visited or otherwise investigated by the local health officer or by a representative of the local

health officer and whether and what measures were taken to prevent the spread of the disease or the occurrence of additional cases.

(g) Whenever there occurs within the jurisdiction of a local health officer or board of health an epidemic of a notifiable disease, the local health officer or board of health shall, when requested by the State board of health (or its executive officer), within 30 days after the epidemic shall have subsided, make a report to the State board of health of the number of cases occurring in the epidemic, and the means by which the disease was spread.

RULE 2. (a) In addition to the diseases named in rule 1, the following are hereby declared to be infectious, contagious, or communicable in their nature and are declared to be notifiable diseases:

GROUP II.

Gonorrhea. Syphilis.

(b) Hereafter, each and every physician or other practitioner of the healing art practicing in the State of Kansas, or any other person who treats or examines any person suffering from or afflicted with gonorrhea or syphilis in any of their stages or manifestations shall report by number, as hereinafter required, in writing to the State board of health the existence of such disease.

(c) All such reports shall be made in writing within 48 hours after diagnosis, on blank forms supplied by the State board of health, and shall give the number of the case, which number shall correspond with the serial number of the State board of health circular of instructions given to the patient; the type and stage of such disease; the color, the sex, the marital state, and the occupation of the person affected with the disease; and a statement as to whether or not the nature of the occupation or place of employment of the person afflicted with such disease makes him or her a menace to the health of any other person or persons: *Provided, however,* That nothing in this paragraph shall be construed to require the reporting of the name and address of persons afflicted with a venereal disease, as aforesaid.

(d) It shall be the duty of each and every physician or other practitioner of the healing art practicing in the State of Kansas, or any other person who visits, attends, advises professionally, prescribes for or renders medical or surgical assistance to, or is consulted for medical advice by any person having gonorrhea or syphilis as aforesaid, to at once give to such person a serially numbered circular of instructions furnished by the State board of health, entitled "Instructions for Preventing the Transmission of Gonorrhea or Syphilis," and to report such fact in writing to the State board of health in the report required to be made of such cases.

RULE 3. Inasmuch as it has been demonstrated by scientific investigation that acute poisoning by foods is for the most part the result of certain toxins produced by the action of certain transmissible bacteria upon such foods, the following named disease or illness is hereby declared to be dangerous to the public health and shall be reported to the local health officer in the same manner and by the same persons as prescribed in rule 1.

GROUP III.

Food poisoning.

RULE 4. The following-named diseases shall be considered diseases dangerous to the public health and are declared to be notifiable diseases and are hereby required to be reported by the attending physician or other practitioner of the healing art to the local health officer in the same manner as prescribed in rule 1.

GROUP IV.

Pellagra. Cancer.

RULE 5. (a) The following-named diseases are also declared to be dangerous to the public health and are declared to be notifiable diseases:

GROUP V.

Arsenic poisoning.
 Brass poisoning.
 Carbon monoxide poisoning.
 Lead poisoning.
 Mercury poisoning.
 Natural gas poisoning.
 Phosphorus poisoning.
 Wood alcohol poisoning.

Naphtha poisoning.
 Bisulphide of carbon poisoning.
 Dinitrobenzene poisoning.
 Caisson disease (compressed-air illness).
 Any other disease or disability contracted as a result of the nature of the person's employment.

(b) Hereafter each and every physician or other practitioner of the healing art practicing in the State of Kansas who treats or examines any person suffering from or afflicted with any of these diseases shall immediately report such cases of notifiable disease in writing upon a special blank to be furnished by the State board of health, directly to the State board of health.

PART 2. RULE 6. *Definition.*—Whenever the term quarantine is used in connection with any disease, it is meant that the person or persons affected with such disease and their attendants, except the attending physician, and all those who come in contact with such person or persons, shall not be allowed to leave the premises designated as under quarantine, except as hereinafter specified.

RULE 7. *Quarantine of persons exposed to disease.*—All persons exposed to, but not evidently sick with, a contagious disease shall be subject to the same rules as to quarantine as if they were sick with the disease to which they have been exposed, except as hereinafter specified.

RULE 8. *Temporary quarantine.*—Whenever a case of obscure illness shall occur which presents symptoms of a disease subject to quarantine or isolation but in which sufficient time has not elapsed to render a positive diagnosis of the disease possible, a temporary quarantine or isolation shall be imposed, which quarantine or isolation shall be in all respects governed by the same rules and regulations as a permanent quarantine or isolation and shall be only in effect as long as the case remains in doubt. If the disease proves not to be one of a contagious or infectious nature, the temporary quarantine or isolation may terminate.

RULE 9. *Quarantine of doubtful cases.*—In all instances of doubtful diagnosis, as for instance where the physician or health officer is unable to distinguish positively between chicken pox or smallpox, or between a diphtheria or severe tonsilitis, it is ruled that the public shall be given the benefit of the doubt, and quarantine restrictions which will protect the public against the most serious of the diseases suspected, shall be imposed.

RULE 10. *Diseases not requiring strict quarantine.*—(a) In all cases of infectious, contagious or communicable diseases which are not subject to regulations of quarantine as hereinafter specified, proper precautions shall be maintained to prevent the infection of others.

(b) Persons afflicted with the following diseases shall be subject to this rule: Actinomycosis, anthrax, continued fever lasting 7 days, dengue, dysentery (both amebic and bacillary), erysipelas, favus, glanders, hookworm disease, malaria, ophthalmia neonatorum (conjunctivitis of newborn infants), pneumonia (acute lobar), rabies, tetanus and trichinosis.

RULE 11. *Pet animals to be excluded.*—All dogs, cats or other pet animal owned in premises containing disease subject to quarantine or isolation shall be:

- (a) Excluded from house for all quarantinable diseases.
- (b) Excluded from room of sick persons affected with actinomycosis, anthrax, erysipelas, favus, glanders, rabies, septic sore throat or ring worm.
- (c) If admitted to house or sick room, given disinfectant bath or wash under direction of the health officer when disinfection of persons is carried out, or, if not so disinfected the pet animal shall be killed.

RULE 12. *Sale of milk prohibited.*—(a) The sale, distribution or use of milk or dairy products from premises where smallpox, diphtheria, septic sore throat, scarlet fever, epidemic cerebrospinal meningitis, acute epidemic poliomyelitis, typhoid fever or paratyphoid fever is known to exist is strictly forbidden unless the milk is handled, milk utensils sterilized, and stock cared for and product transported by persons entirely disassociated with the quarantined or diseased family, or the house in which such persons are confined.

(b) The sale, distribution or use of milk or dairy products from a place where tuberculosis is known to exist is strictly forbidden except by a written permit from the local health officer. Before issuing such permit, the local health officer shall satisfy himself by personal investigation that such milk or dairy products are being produced or sold under conditions that will not menace the health of the consumer and shall make to the State board of health a full and complete statement of his findings as a result of his investigation.

(c) In delivering milk to families in which there exists any of the above named infectious, contagious or communicable diseases, the dairyman shall not enter, nor shall he permit any of his milk bottles or vessels to be taken into or from such house, but shall pour such milk as each family wishes into receptacles furnished by the customer.

(d) It shall be the duty of the physician in attendance upon cases of any of the above named diseases to post on the premises at the entrance or entrances where milk is customarily delivered a placard to be furnished by the local health officer containing the following admonition:

NOTICE TO MILKMAN.

A case of communicable disease exists in this house. Bottles of milk must not be left on these premises, and empty milk bottles must not be removed while this placard remains.

This placard must not be removed except by order of the health officer.

RULE 13. *Distribution of books enjoined.*—School books, or books from public or circulating libraries shall not be taken into any house where smallpox, diphtheria, or scarlet fever exists, and if the school books or library books have already been taken into such house they shall be thoroughly disinfected or destroyed either by the owner or library authorities.

RULE 14. *Quarantine periods.*—The time of quarantine or isolation of all infectious, contagious or communicable diseases dangerous to the public health shall be such time as in the judgment of the city or county health officer, in whose jurisdiction the case occurs, it may appear safe to terminate the quarantine or isolation, but health officers shall be governed by certain minimum periods of isolation as set forth in the special regulations regarding each disease.

RULE 15. *Termination of quarantine.*—(a) When persons confined in a house have recovered from the disease for which the quarantine or isolation was established, or when the quarantine or isolation is for exposure to a contagious disease, and the period of incubation has elapsed, they shall be discharged from quarantine or isolation on the order of the health officer: *Provided*, That before being discharged from such quarantine or isolation, each case shall have been inspected by the health officer or

his representative, and they shall have taken a thorough antiseptic bath and put on clothing free from contagion, under directions of the health officer, or his representative.

(b) Except as hereinafter specified, when all persons contained in a quarantined house or building are, in the opinion of the health officer, free from danger of spreading the disease, the quarantine or isolation shall be raised by order of the health officer, but not until every room, together with all furniture, bedding, clothing or other articles contained therein or exposed to the infection, have been thoroughly disinfected. Such disinfection shall be done by or under the direction of the health officer, or his duly authorized representative.

(c) In all cases under quarantine or isolation restrictions, if the case terminates by death, the susceptible persons on same premises shall be subject to continued quarantine or isolation for the usual period of incubation for such disease, dating from death of patient which shall be considered date of last exposure.

RULE 16. Public funerals.—Since members of households and others who are brought in contact with cases of communicable disease often acquire infection, and even though they may manifest no active symptoms of the disease are capable of transmitting the infection to others in more virulent form, and since public funerals promote contact between relatives of deceased persons and the general public, therefore public funerals are prohibited in cases where a body has died of a contagious disease.

RULE 17. Disinfection required, when.—A thorough and effective fumigation and disinfection of all premises shall be required after the termination of cases only of cholera, smallpox, scarlet fever, diphtheria, epidemic cerebrospinal meningitis, epidemic poliomyelitis, typhoid fever (room of patient only), puerperal fever (room of patient only), and tuberculosis.

RULE 18. Isolation and quarantine of carriers.—Any person who is known to harbor the bacilli, virus or infective agent of any communicable disease, even though manifesting no symptoms of such disease, is hereby declared to be a carrier and a menace to the public health, and the name and address of such person shall be reported immediately to the local city or county health officer in whose jurisdiction such person resides. The local health officer shall immediately investigate and report to the State board of health. Pending the receipt of instructions from the State board of health, the local health officer shall isolate or quarantine the carrier if in his judgment the danger to the community necessitates such action. In the event of any known or suspected carrier leaving the jurisdiction of a local health authority, the State board of health shall be notified by the local health officer of the name of the carrier and his destination.

RULE 19. Transportation of contagious diseases prohibited.—(a) No person knowing that he is affected with chicken-pox, cholera, diphtheria, German measles, leprosy, measles, epidemic cerebrospinal meningitis, mumps, paratyphoid fever, plague, acute poliomyelitis, scarlet fever, septic sore throat, smallpox, tuberculosis, typhoid fever, typhus fever, whooping cough or yellow fever, shall travel on any car, vehicle or conveyance engaged in intrastate traffic except as provided for in the rules and regulations of the State board of health governing common carriers in intrastate traffic.

(b) No parent, guardian, physician, nurse or other person shall allow or procure such transportation for any minor, ward, patient, or other person under his charge who may be affected with any disease named in paragraph (a).

RULE 20. State quarantine; when necessary.—(a) Whenever any part of this State appears to be threatened with Asiatic cholera, smallpox or other infectious or contagious disease from any adjoining State or Territory, the secretary and executive officer of this board shall have the power to establish and maintain quarantine stations at the limits of the State at such points as may be deemed necessary, and to enforce thereat such rules and regulations as he may adopt and publish for the purpose of preventing or obstructing the introduction or spread of such diseases into or within

the State, by the inspection of all persons, places and things, and the exclusion of all infected or suspected persons and goods, and the disinfection of all infected places and things. In the interim between the meetings of the State board of health, the secretary and executive officer of this board shall have the power and authority to adopt and enforce all rules and regulations which may be necessary to prevent the introduction or spread of such disease into or within the State as is conferred upon the State board of health by law.

(b) Local boards of health or health officers of one county or city shall not establish quarantine against another county or city or part of a county or city without the consent of the State board of health or, in the interim of its meetings, of its secretary and executive officer.

RULE 21. *Cholera, plague, etc.*—No member of any household in which cholera (Asiatic), plague, typhus fever or yellow fever exists and no person afflicted with or recovering from any of these diseases shall be permitted to appear on the public streets or highways or in any public place, or attend any place of public amusement or worship, or visit any other private house, until after danger from contagion is passed and said household premises thoroughly disinfected. Every case of these diseases shall be reported at once by wire to the State board of health and shall be subject to any additional requirements which may be deemed necessary.

RULE 22. *Tuberculosis.*—The legislature has declared tuberculosis to be an infectious and contagious disease, and has prescribed certain restrictions, with penalties for violations, for persons afflicted with this disease, and those who attend them.

It is hereby ruled, that when, in the opinion of the State board of health or its representative, or of the local health officer or boards of health, persons afflicted with tuberculosis endanger the public health by continuously and repeatedly ignoring or violating the sanitary restrictions prescribed in accordance with the instructions of the legislature, the local board of health or health officer shall place such persons and household under complete isolation or quarantine and shall placard the premises in such manner that the public may be warned against the presence of the disease in such persons or households.

RULE 23. *Epidemic cerebrospinal meningitis and epidemic poliomyelitis.*—(a) All premises on or in which cases of epidemic cerebrospinal meningitis or epidemic poliomyelitis shall occur shall be placarded.

(b) Any person afflicted with either of these diseases shall be isolated and quarantined for a period of not less than two weeks nor more than three weeks from onset unless the temperature has not returned to normal in the meantime.

(c) Children from a household in which either of these diseases exists shall be restricted from attending school or places of public assemblage for a period of 14 days from the last date of contact with the patient as determined by the health officer.

(d) Adult wage earners of the household, if the patient is properly isolated, may continue their vocations, provided their employment does not bring them into contact with children at any time.

(e) Patients afflicted with either of these diseases shall, first, be promptly isolated and contact with all others except the physician or caretaker prohibited; second, the physician and the caretaker shall so handle the patient that discharges shall not soil their clothing, special care being taken to prevent droplet infection; third, the caretaker shall wash hands with soap and hot water promptly after handling any discharges; fourth, the caretaker shall wash hands similarly before leaving the room occupied by the patient; fifth, isolation shall be terminated by a thorough washing of the entire body and hair of the patient and the room cleansed with soap and hot water, aired and sunned; sixth, sick-room precautions shall include the usual attention to cleaning and disinfection of eating utensils, person and body, clothing, rugs, door knobs, toys and other things handled by patient or caretaker.

(f) Efficient screening and the use of approved insecticides shall be employed so that insects shall not have access to the patient or his excretions.

RULE 24. *Typhoid fever and paratyphoid fever.*—(a) All premises on or in which cases of typhoid fever or paratyphoid fever shall occur shall be placarded.

(b) All persons afflicted with either of these diseases shall be isolated as completely as possible. Persons occupying the same premises, who are not in immediate attendance upon the patient, may come and go without restrictions. In private premises, persons in immediate attendance upon the patient shall in so far as is possible refrain from the care and preparation of foods intended for others than the patient and shall wash hands with soap and hot water followed by the use of an approved disinfecting solution promptly after handling any discharges of the patient.

(c) In all cases where persons are ill with typhoid fever or paratyphoid fever in a hotel, lodging house or camp, all persons having to do with the care of the patient shall be prohibited from working at anything to do with the preparation or handling of food.

(d) All excreta from the patient must be immediately and efficiently disinfected. All bedding, dishes or other infected articles must be thoroughly disinfected.

(e) The house, apartment or room in which a typhoid fever or paratyphoid fever patient is confined shall be effectively screened against flies.

RULE 25. *Smallpox.*—(a) No member of any household in which smallpox exists and no person afflicted with or recovering from such disease shall be permitted to appear on the public streets or highways or in any public place, or attend any place of public amusement, worship, or visit any other private house, until after danger from contagion is passed and said household premises thoroughly disinfected.

(b) No person who has not had smallpox, and who by reason of contact with a patient afflicted with smallpox is thereby exposed to the disease, shall be permitted to appear on the public streets or highways or in any public place, or attend any place of public amusement or worship, or visit any other private house, for a period of 21 days after such exposure: *Provided*, That if such exposed person shall undergo vaccination, the above restrictions shall apply only until such time as vaccination shall prove successful: *Provided, further*, That these restrictions shall not apply to persons who shall present evidence of a successful vaccination within seven years previous. The local city or county health officer in whose jurisdiction the case occurs shall determine as to what constitutes exposure and successful vaccination in each individual case.

(c) To prevent the spread of smallpox, the local board of health or health officer of any city or county where the disease is present in any school district or part thereof, which is included in such city or county, shall with the advice and consent of the State board of health (or its executive officer) prohibit the attendance at school in any such district or part thereof for a period of 25 days, after the appearance of smallpox, of any and all pupils and teachers who have not been successfully vaccinated.

Should new cases of smallpox continue to develop in such school district or part thereof, after the expiration of 25 days, the local board of health or health officer shall, upon the advice and consent of the State board of health (or its executive officer), renew such order for another period of 25 days or so many days thereof as the State board of health (or its executive officer) may deem necessary in order to control the epidemic.

In the event that any board of education or school board or principal or teachers in any school district or part thereof, where the disease is present, shall fail to coöperate with the local board of health or health officer of any city or county in the enforcement of this rule, the local board of health or health officer shall order the school to be closed, and, in extreme cases, church services suspended and public assemblages of people at shows, circuses, theaters, fairs or other gatherings prohibited.

(d) It shall be the duty of the local health officer, in whose jurisdiction the case occurs, to investigate all alleged instances of smallpox infection or smallpox exposure

which come to his knowledge when such are not attended by a qualified physician. It shall be the further duty of the local health officer to use all diligence in warning the public of the presence of smallpox and in instructing the public as to the proper procedure to be followed to prevent its spread.

(e) Since chicken pox in adults occurs but rarely and since this name is frequently a mistaken diagnosis of smallpox or given to evade the diagnosis of mild cases of smallpox, it is hereby required that every such case and the household in which it occurs shall be subject to the same quarantine restrictions as smallpox.

(f) Persons suffering from or exposed to varioloid shall be required to undergo the precautions prescribed for smallpox.

RULE 26. *Diphtheria (including membranous croup).*—(a) No member of any household in which diphtheria or membranous croup exists and no person afflicted with or recovering from such diseases shall be permitted to appear on the public streets or highways or in any public place, or attend any place of public amusement or worship, or visit any other private house, until after danger from contagion is passed and said household premises thoroughly disinfected.

(b) Such quarantine restrictions shall be maintained until two successive negative bacteriological cultures have been obtained from the nose and throat of the patient at intervals of 24 hours, and until one negative culture shall have been obtained from each of the other members of the household, unless circumstances in rural communities makes such procedure impracticable, or families refuse to have cultures taken, in either of which events the minimum period of quarantine shall not be less than 21 days from the beginning of the disease and as long thereafter as false membrane or evidence of sore throat or any discharge from eyes, ears, nose or throat remains. *Provided*, That where patients are properly isolated and contact with them is avoided, after negative culture from the nose and throat, wage earners may be allowed to continue their occupations when employed in industries other than the production, manufacture or sale of wearing apparel and foodstuffs, and when their employment does not bring them in contact with children, but in all such instances, such procedure of release from quarantine shall meet with the approval of the local health officer.

(c) All persons not mentioned in paragraph (a) who have been exposed to diphtheria or membranous croup, shall be quarantined for seven days after the last exposure; or, as an alternative procedure, all persons so exposed may be released from quarantine upon the returning of negative cultures from the throat and nasal passages.

(d) Any teacher in a public school who has been living or visiting with any family in which a case of diphtheria develops must not return to her school duties until seven days have elapsed from the date of last exposure.

RULE 27. *Septic sore throat.*—(a) All premises on or in which a case of septic sore throat occurs shall be placarded.

(b) Persons afflicted with septic sore throat shall be carefully isolated.

(c) No member of any household in which septic sore throat exists shall attend school or public gatherings.

RULE 28. *Scarlet fever, scarlatina and scarlet rash.*—(a) No member of any household in which scarlet fever, scarlatina or scarlet rash exists, and no person afflicted with or recovering from such diseases shall be permitted to appear on the public streets or highways, or in any public place, or attend any place of public amusement or worship, or visit any other private house, until the patient in such household shall be entirely recovered and desquamation is completed, but in no case shall the time during which these restrictions shall apply be less than 21 days; furthermore, all persons recovering from such diseases shall be subject to these restrictions for 14 days in addition to these 21 days and until all discharges from the nose, ears and throat or suppurating glands have ceased: *Provided*, That in all instances where, in the opinion of the city or county health officer, proper and safe arrangement can be made

the wage earner of the family may be released from such restrictions if the work of the wage earner does not bring him in contact with children or that he does not attend places of public assemblage.

(b) All children exposed to scarlet fever, scarlatina or scarlet rash, who have not previously had scarlet fever, scarlatina or scarlet rash, must be quarantined for seven days after the last exposure.

(c) Any teacher in a public school who has been living or visiting with any family in which a case of scarlet fever, scarlatina or scarlet rash develops, must not return to her school duties until seven days have elapsed from the date of the last exposure.

RULE 29. Measles and German measles.—(a) No member of any household in which measles or German measles exists, except those who have previously had the disease, and no person afflicted with or recovering from measles or German measles shall be permitted to appear on the public streets or highways or in any public place, or attend any place of public amusement or worship, or visit any other private house, until they shall be declared by the local health officer free from danger of transmission of the infection.

(b) All premises on or in which measles or German measles occur shall be placarded.

(c) No person, except those who have previously had the disease, exposed to measles or German measles shall be permitted to attend school or places of public assemblage for 14 days after exposure.

(d) The minimum duration of quarantine or isolation of all cases of measles or German measles shall be until 7 days after the appearance of the rash and until all discharges from the nose, ears and throat have disappeared and until the cough has ceased.

RULE 30. Whooping cough.—(a) No persons under 14 years of age of any household in which whooping cough exists, except those who have previously had the disease, and no person afflicted with or recovering from whooping cough shall be permitted to appear on the public streets or highways or in any public place, or attend any place of public amusement or worship, or visit any other private house, until they shall be declared by the local health officer free from danger of transmitting the infection.

(b) All premises on or in which whooping cough occurs shall be placarded.

(c) No person, except those who have previously had the disease, exposed to whooping cough shall be permitted to attend school or places of public assemblage for 14 days after exposure.

(d) The minimum duration of quarantine or isolation of all cases of whooping cough shall be until six weeks after the development of the disease or until one week after the last characteristic paroxysmal cough, or whoop.

RULE 31. Chicken pox.—(a) No member of any household in which chicken pox exists, except those who have previously had the disease, and no person afflicted with or recovering from chicken pox shall be permitted to appear on the public streets or highways or in any public place, or attend any place of public amusement or worship, or visit any other private house, until they shall be declared by the local health officer free from danger of transmitting the infection.

(b) All premises on or in which chicken pox occurs shall be placarded.

(c) No person, except those who have previously had the disease, exposed to chicken pox shall be permitted to attend school or places of public assemblage for 16 days after exposure.

(d) The minimum duration of quarantine or isolation of cases of chicken pox shall be until 12 days after the appearance of the eruption and until the crusts are fallen and the scars are completely healed.

(e) Since chicken pox in adults occurs but rarely and since this name is frequently a mistaken diagnosis of smallpox or given to evade the diagnosis of mild cases of smallpox, it is hereby required that every such case shall be subject to the same quarantine restrictions as smallpox.

RULE 32. *Mumps*.—(a) No person afflicted with or recovering from mumps shall be permitted to appear on the public streets or highways or in any public place or attend any place of public amusement or worship, or visit any other private house, until they shall be declared by the local health officer free from danger of transmitting the infection.

(b) All premises on or in which mumps occurs shall be placarded.

(c) The minimum quarantine or isolation of all cases of mumps shall be until two weeks after the appearance of the disease and one week after the disappearance of the swelling.

RULE 33. *Trachoma*.—No child suffering from trachoma shall be permitted to attend any public, private or parochial school unless under the close supervision of a competent physician, who shall certify in writing to the school board and the health officer that the case is not in a contagious state.

RULE 34. *Gonorrhea or syphilis; public bath*.—No person who is suffering from gonorrhea or syphilis shall be served in a public bath room in this State; and no person suffering from syphilis shall be served in any barber shop, such prohibition to continue until 12 months have elapsed from date of infection.

PART 3. RULE 35. *Exclusion from school*.—(a) Whenever the school principal or teacher in any private, parochial or public school has reason to suspect that any pupil is suffering from or has been exposed to any infectious, contagious or communicable diseases required by the rules and regulations of the State board of health to be excluded from school, such principal or teacher shall send such child home, and any pupil so excluded shall not be permitted to attend school again until such pupil shall present a certificate from the health officer or from a legally qualified physician acting by the consent of the health officer, stating that the child is not suffering from any infectious, contagious or communicable disease.

(b) Within the meaning of this rule, principals or teachers shall exclude any child suffering from or exhibiting any of the following symptoms: (1) Sore throat or tonsillitis. (2) Any eruption of the skin, or rash. (3) Any catarrhal symptoms accompanied by fever, or fever alone. (4) Severe cough or cold.

RULE 36. *Tuberculosis in schools*.—(a) No child, janitor or teacher suffering from tuberculosis in a communicable form shall be allowed to attend or work in any public, private or parochial school.

(b) In the event that any child, janitor or teacher is believed to be suffering from pulmonary or laryngeal tuberculosis, the local health officer upon receipt of information of such belief shall make prompt investigation and satisfy himself either by personal examination or by a written certification from a legally qualified physician of the necessity of the exclusion of such individual from school, and until such examination and certification shall be made the individual shall be excluded from school.

RULE 37. *Other diseases to be excluded*.—In addition to the diseases elsewhere declared by these rules to be subject to quarantine or isolation, any child shall be excluded from any private, parochial or public school, who is afflicted with the following diseases: Contagious conjunctivitis (pink eye), impetigo contagiosa, ring worm, or scabies (itch): *Provided*, That in cases of ring worm or scabies, the child may be allowed to continue school attendance at the discretion of the health officer if proper treatment be immediately instituted.

RULE 38. *Duties of parents*.—Parents, guardians or other persons having custody of any child or children, shall not permit such child or children if afflicted with or exposed to any infectious, contagious or communicable diseases required by the State board of health regulations to be excluded from school, to attend any school.

RULE 39. *Closing of schools*.—Whenever in the judgment of the State board of health (or its executive officer), or any local county or city board of health or health officer, it is advisable to close the school because of the prevalence of any infectious, contagious or communicable disease or diseases, he or they shall serve written notice

upon the board of school directors (board of education) or the responsible officials in any private, parochial or Sunday school in the same district in which such disease or diseases prevail, directing them to close all schools immediately, nor shall any such school be reopened until permission is given by the proper health officials.

RULE 40. Inspection of schools.—(a) In the interests of the public health, all school-houses shall be thoroughly cleansed at some time during the annual vacation and disinfected at such times when known to be infected by an infectious, contagious or communicable disease; that the source of the water supply be inspected as to its wholesomeness and purity, and that the privies are required to be put in a sanitary condition before the fall term of school begins.

(b) The enforcement of the provisions of this regulation shall be a part of the duties of the city health officer in cities of the first class and of the county health officers in all territory outside of cities of the first class in their respective jurisdictions.

Tuberculosis—Admission and Maintenance of Patients at State Sanatorium. (Ch. 305, Act Mar. 12, 1917.)

SECTION 1. Section 9664 of the General Statutes of 1915 is hereby amended to read as follows:

SEC. 9664. The State board having charge of the said State tubercular sanatorium is hereby given power and authority to receive therein patients who have no ability to pay, but no person shall be admitted to the hospital who has not been a citizen of this State for at least one year. Every person desiring free treatment in such hospital shall apply to the local authorities of his or her county having charge of the relief of the poor, who shall thereupon issue a written request to the superintendent of such State sanatorium for the admission of such persons. Such request shall state in writing whether the person is able to pay for his or her care and treatment while at the hospital, which request or statement shall be kept on file by the superintendent of the hospital. Such request shall be filed by the superintendent in a book kept for that purpose, in the order of their receipt by him. Whenever there are vacancies caused by death, or removal, said superintendent shall thereupon issue a request to an examining physician, appointed as provided for in section 1, in the same city or county, and if there be no such examining physician in said city or county, then to the nearest examining physician, for the examination by him of said patient. Upon the request of such superintendent said examining physician shall examine all persons applying for free admission and treatment in said institution and determine whether such persons applying are suffering from incipient pulmonary tuberculosis. No person shall be admitted as a patient in said institution without the certificate of one of such examining physicians, certifying that such applicant is suffering from incipient pulmonary tuberculosis, and if upon the reception of a person in the said hospital, it is found by the authorities thereof that he or she is not suffering from incipient pulmonary tuberculosis, or is suffering from pulmonary tuberculosis in such an advanced state as to prevent his receiving any benefit from the care and treatment in said hospital, he or she can be returned to the place of his residence, and the expense of transportation to and from said hospital shall be paid by the county sending such patient. Admission to said hospital shall be made in the order in which the names of the applicants appear upon the application book to be kept as above provided by the superintendent of said hospital, in so far as such applicants are subsequently certified by such examining physicians to be suffering from incipient pulmonary tuberculosis. Every person who is admitted as and who is a county charge at the time of making his or her application shall be transported to and from the hospital at the expense of said county, and cared for and treated at the expense of such county, which would otherwise be chargeable with the support of indigent persons, and the expense of transportation, treatment and maintenance, and the actual cost of articles of clothing furnished by the hospital to such poor or indigent

person, shall be a charge against such county. And the State board, in charge of the said State tubercular sanatorium, shall fix the price of maintenance in such institution, for county patients, and the different counties having county patients contained therein will be liable for the maintenance cost as fixed by such State board not to exceed \$1 per day.

SEC. 2. Original section 9664 of the General Statutes of 1915 is hereby repealed.

Common Carriers—Sanitary Regulation of Cars and Depots—Control of Communicable Diseases. (Reg. Bd. of H., June 13, 1917.)

PART 6, RULE 1. Common carriers shall maintain at all times in a clean and sanitary condition all cars, vehicles, or conveyances so being operated by them.

RULE 2. Toilets and lavatories on cars, vehicles or conveyances engaged in intrastate traffic, or in any depots, waiting rooms or other places used by passengers traveling within the State shall be of adequate size, design and number, and shall be maintained in a clean and sanitary condition.

RULE 3. All cars, vehicles, or conveyances engaged in intrastate traffic for the use of passengers shall be so ventilated as to insure an adequate supply of fresh air.

RULE 4. Common carriers shall not permit nor cause to be cleaned any car, vehicle or conveyance engaged in intrastate traffic while the same is occupied by passengers, unless said cleaning is done in such manner as to prevent the distribution of dust.

RULE 5. Common carriers while engaged in intrastate commerce shall take adequate measures by use of warning signs or cuspidors or both for the prevention of soiling of cars, vehicles, or conveyances with sputum, and said cuspidors shall be adequate in size and number and suitable in design for the reception of sputum, and shall be maintained in a clean and sanitary condition.

RULE 6. Common carriers shall not provide in any cars, vehicles or conveyances engaged in intrastate traffic, or any depots, waiting rooms, or in other places used by passengers traveling within the State, any towel for use by more than one person: *Provided*, That towels may be used again after having been cleansed and sterilized with boiling water.

RULE 7. Any person, firm, or corporation supplying sleeping accommodations for passengers traveling within the State shall furnish the bed, couch or other appliance used for sleeping purposes with clean sheets and pillow cases which have not been used by any other person since last laundered: *Provided*, That blankets, pillows, and mattresses which have not been used by any persons suffering from a disease mentioned in rule 13 (hereafter given), if physically clean and free from vermin, may be used if they are so enveloped as not to come in contact in any way with any occupant of such bed, couch or other appliance for sleeping purposes.

RULE 8. Common carriers shall not provide in any cars, vehicles, or conveyances engaged in intrastate traffic, or in any depots, waiting rooms or other places used by passengers traveling within the State any drinking cup, glass or vessel for common use: *Provided*, That this regulation shall not be held to preclude the use of drinking cups, glasses, or vessels which are thoroughly cleansed or sterilized after use by each individual, nor shall it be held to preclude the use of sanitary devices for individual use only.

RULE 9. Persons, firms, or corporations engaged in the business of furnishing food or drink for the use of passengers traveling within the State shall not supply any article of food or drink, unless the same shall have been obtained from a source known to be free from the contagion or infection of the diseases mentioned in rule 13 (hereafter given), or unless the same shall have been sterilized, pasteurized, or otherwise treated in such manner as to insure that the article is free from the danger of conveying contagion or infection as aforesaid; and all articles of food or drink for said passengers shall be so handled and stored as to prevent contamination with the said contagion or infection.

RULE 10. After notification in writing by the proper health authorities, common carriers shall not transport or accept for transportation, within the State, milk from premises on which there exists a case of cholera, smallpox, diphtheria, septic sore throat, scarlet fever, epidemic cerebrospinal meningitis, acute epidemic poliomyelitis, typhoid fever or paratyphoid fever, unless said milk is accompanied by a certificate that it has been properly pasteurized under official supervision.

RULE 11. Water provided by common carriers on cars, vehicles or conveyances operating within the State for the use of passengers shall be furnished under the conditions provided by regulations of the State board of health under the authority granted by sections 10179, 10180 and 10181, General Statutes of 1915.

RULE 12. No person knowing that he is in a communicable stage of any of the diseases enumerated in rule 13 (hereafter given), shall travel on any car, vehicle or conveyance engaged in intrastate traffic, except as hereinafter provided, nor shall any parent, guardian, physician, nurse, or other person allow or procure such transportation for any minor, ward, patient or other person under his charge who may be affected with any such disease.

RULE 13. (a) No common carrier shall accept for transportation any person affected with chicken pox, cholera, diphtheria, German measles, leprosy, measles, epidemic cerebrospinal meningitis, paratyphoid fever, plague, poliomyelitis, scarlet fever, septic sore throat, smallpox, tuberculosis, typhoid fever, typhus fever, whooping cough, or yellow fever, except as otherwise hereafter provided.

(b) Anything, living or dead, which has been affected with or exposed to the contagion or infection of any disease named in paragraph (a) shall be regarded as contagious or infectious until the contrary has been proven and shall not be accepted for transportation by common carriers.

RULE 14. No person, firm, or corporation shall offer for shipment in intrastate traffic, and no common carrier shall accept for shipment, or transportation in intrastate traffic, any article or anything known to have been exposed to the contagion or infection of any of the diseases enumerated in rule 13, unless a certificate has previously been obtained from the proper health authority that all necessary measures have been taken to render the said article or thing free from infection; and in the case of yellow fever, Rocky Mountain spotted or tick fever or typhus fever, free from mosquitoes, ticks or lice.

RULE 15. Any person or anything either living or dead, which has been exposed to or is infected with any of the diseases enumerated in rule 13, if found in any car, vehicle or conveyance, undergoing intrastate transportation shall be subjected to such inspection, disinfection or other measures as may be necessary to prevent the spread of the infection from them.

RULE 16. In the event of the appearance of any disease mentioned in rule 13, with the exception of tuberculosis, in any person enroute or aboard any car, vehicle or conveyance engaged in intrastate traffic, a common carrier shall at once isolate the sick person and remove him from the car, vehicle or conveyance at the first convenient place at which reasonable provision may be had for the protection of the patient and the public health, and shall immediately notify the State and local health officer of the place at which the person was removed from such car, vehicle or conveyance, and shall disinfect the compartment from which the person was removed.

RULE 17. No person affected with plague, cholera, smallpox, scarlet fever, typhus fever or yellow fever shall be received upon any car, vehicle or conveyance engaged in intrastate traffic.

RULE 18. Common carriers shall not receive upon any car, vehicle or conveyance engaged in intrastate traffic any person affected with typhoid fever or paratyphoid fever unless removal and entrance permits have been granted by the State or local health officers at place of departure and arrival and unless said person is placed in separate compartment and is accompanied by a properly qualified nurse or attendant,

and unless said nurse or attendant shall obligate himself or herself in writing to the common carrier to comply with the following regulations while in transit:

(a) Communication with the compartment in which the patient is traveling shall be restricted to the minimum consistent with proper care and safety to the patient.

All dishes or utensils used by the patient enroute shall be placed in a 5 per cent solution of carbolic acid or any disinfecting fluid of equivalent disinfecting value for at least one hour before being allowed to leave the compartment.

All urine, bowel movements or other discharges from the patient shall be received into a 5 per cent solution of carbolic acid or disinfecting fluid of equivalent disinfecting value, placed in a covered vessel and allowed to stand undisturbed for at least two hours after the last addition thereto. Upon the expiration of the time stated they may be burned, destroyed or emptied into a common sewer at any convenient place.

Said nurse or attendant shall use all necessary precautions to prevent access of flies to the patient, and after performing services of any nature to the patient shall at once cleanse the hands by thoroughly washing in a 2 per cent solution of carbolic acid or other solution of equivalent disinfecting value.

(b) Immediately upon the disembarkation of the patient, the common carrier shall close the compartment the patient has vacated without removing any of its contents and shall keep same closed until disinfection.

RULE 19. Common carriers shall not receive upon any car, vehicle or conveyance engaged in intrastate traffic any person affected with diphtheria, measles or German measles, epidemic cerebrospinal meningitis, epidemic poliomyelitis or whooping cough, or any person known to be a carrier of bacillus diphtheria, unless removal and entrance permits have been granted by the State or local health officers at the place of departure and arrival, and unless said person is placed in a satisfactory compartment and is accompanied by a properly qualified nurse or attendant and unless such nurse or attendant has pledged himself or herself in writing, to the common carrier, to comply with the following regulations while in transit.

(a) Communication with the compartment within which the patient is traveling shall be restricted to the minimum consistent with the proper care and safety of the patient.

All dishes or utensils used by the patient enroute shall be placed in a 5 per cent solution of carbolic acid or disinfecting fluid of equivalent disinfecting value for at least one hour before being allowed to leave the compartment.

All sputum and nasal discharges from the patient shall be received in a gauze or paper, which shall be deposited in a closed container and which shall be destroyed by burning or received in a 5 per cent solution of carbolic acid or disinfecting fluid of equivalent disinfecting value, placed in a covered vessel and allowed to stand undisturbed for at least two hours after the last addition thereto.

(b) Immediately upon the disembarkation of the patient the common carrier shall close the compartment the patient has vacated, without the removal of any of its contents, and shall keep the same closed until disinfection.

RULE 20. Common carriers shall not receive for intrastate transportation any person known by them to be suffering from pulmonary tuberculosis in a communicable stage unless said person is provided with the following articles:

(a) A sputum cup made of impervious material and so arranged or constructed to admit of being tightly closed when not in use.

A sufficient supply of handkerchiefs, gauze, or similar articles of sufficient size to cover the nose and mouth while coughing and sneezing. Said handkerchiefs, gauze or similar articles shall be inclosed in a tight container after use and shall be destroyed by burning.

All sputum and nasal discharges from the patient shall be received in a gauze or paper, which shall be deposited in a closed container and which shall be destroyed

by burning or received in a 5 per cent solution of carbolic acid or disinfecting fluid of equivalent disinfecting value, placed in a covered vessel and allowed to stand undisturbed for at least two hours after the last addition thereto.

(b) Immediately upon the disembarkation of the patient, the common carrier shall close the compartment the patient has vacated, without the removal of any of its contents, and shall keep same closed until disinfection.

(c) Passengers in intrastate traffic having pulmonary tuberculosis in a communicable stage shall not expectorate except in a sputum cup or gauze aforementioned.

Mental Defectives—Sterilization. (Ch. 299, Act Mar. 13, 1917.)

SECTION 1. That [when] the warden of the State penitentiary, the superintendent of the Hutchinson Reformatory, the superintendent of each of the State hospitals for the insane, the State hospital for epileptics, the State home for feeble-minded, or the State industrial school for girls, shall certify in writing to the governing board of the institution of which he or she is warden or superintendent, that he or she believes that the mental or physical condition of any inmate would be improved thereby, or that procreation by such inmate would be likely to result in defective or feeble-minded children with criminal tendencies, and that the condition of such inmate is not likely to improve so as to make procreation by such person desirable or beneficial to the State, it shall be lawful to perform a surgical operation for the sterilization of such inmate as hereafter provided, and shall not render the board of examiners, its members or any person participating in the operation liable either civilly or criminally; but before such operation shall be performed a written notice shall be served on such inmate, and guardian, if there be one, of the time and place of a meeting and hearing at least 30 days prior thereto, and said inmate shall have the right to be represented by counsel and may introduce such evidence as may be desired.

SEC. 2. For the purpose of carrying into effect the provisions of this act the chief medical officer of any such institution, the governing board of such institution and the secretary of the State board of health shall constitute a board of examiners for such institution.

SEC. 3. When the warden or superintendent of any such institution shall deem it advisable that such operation be performed on any one or more of the inmates, it shall be his or her duty to make such recommendation in writing, signed by him or her, to the chairman of the governing board of such institution, whereupon the chairman of such governing board shall forthwith call a meeting of such board of examiners, to be held at such institution at a date not more than 15 days after the issuance of such call. The call shall clearly set forth the date and object of such meeting and shall contain the names of all inmates whose cases are to be considered at such meeting.

SEC. 4. At such meeting such board of examiners shall diligently inquire into the mental and physical condition of each inmate so considered, and as far as practicable into his or her family history, and for that purpose any member of said board may administer an oath to any witness whom it is desired to examine.

SEC. 5. After fully inquiring into the condition of each such person, such board of examiners shall make separate written findings for each of the persons whose condition has been inquired into, and such findings shall either order that such inmate be sterilized or not; and if the board in its findings order sterilization for the inmate, it shall in its findings designate what operation is to be performed, and its purpose: If a male person, either the operation of vasectomy or asexualization; if a female, either the operation of salpingectomy or oöphorectomy; and shall designate some competent surgeon, who may either be connected with such institution or otherwise, who shall perform the operation. If the surgeon is not connected with such institution the governing board can make reasonable terms for compensation, and such fee shall be paid from the fund provided for the maintenance of such institution in the manner provided by law.

SEC. 6. Such institution shall keep all files in any proceedings under this act and full minutes of such meetings, and for that purpose the chief medical officer of such institution shall be the secretary of such board of examiners and custodian of its records.

SEC. 7. Except as authorized by this act, every person who shall perform, encourage, assist in or otherwise promote the performance of either of the operations described in this act, for the purpose of destroying the power to procreate the human species, unless the same shall be a medical necessity, shall be fined not less than \$100 nor more than \$500, and imprisoned in the county jail not less than six months nor exceeding one year.

SEC. 8. Sections 9967, 9968 and 9969 of the General Statutes of 1915 are hereby repealed.

Water Supplies—Prevention of Pollution. (Ch. 246, Act Feb. 16, 1917.)

SECTION 1. That all persons, companies or corporations are hereby prohibited from willfully, carelessly or negligently permitting or causing any salt water, oil or other polluting substance to flow into any stream, lake or reservoir within the State of Kansas, so as to render said water deleterious for use for domestic purposes, which furnishes any city within said State with its water supply for domestic purposes.

SEC. 2. That any violation of section 1 of this act shall be a misdemeanor, punishable by fine of not less than \$25 nor more than \$100, and each separate day on which said section 1 may be violated shall constitute a separate offense: *Provided*, That all prosecutions under this act must be begun within 90 days after the commission of the offense.

Marriages—Registration. (Ch. 236, Act Feb. 5, 1917.)

SECTION 1. That section 5 of chapter 224 of the session laws of 1913 be and the same is hereby amended so as to read as follows:

SEC. 5. Every person who shall perform any marriage ceremony under the provisions of this act shall within 10 days after such marriage return the said license to the probate judge who issued the same, with his certificate of such marriage endorsed thereon; and said probate judge shall forthwith enter the same on the marriage record in his office, and shall, not later than the third day of each month, forward to the State registrar the license and certificate of marriage, together with a statement of the names of the parties and the name and address of the party who performed said marriage ceremony, and shall remit to the State registrar the 50 cents fee provided for in section 4 of this act: *Provided*, That in case no marriage license has been issued by the probate judge during the month, he shall promptly notify the State registrar to that effect on a blank provided for that purpose.

SEC. 2. Sections 5 and 7 of chapter 224 of the session laws of Kansas, 1913, and all other acts or parts of acts in conflict herewith are hereby repealed.

Privies and Cesspools—Location. (Reg. Bd. of H., June 13, 1917.)

PART 5. RULE 43. *Abandoned wells.*—The use of abandoned wells as cesspools is prohibited.

RULE 44. *Concerning privy vaults, cesspools, etc.*—No privy vault, cesspool or other reservoir into which a privy vault, water-closet, stable or sink is drained, except it be water-tight, shall be permitted within 50 feet of any well, spring, or other source of water used for drinking or culinary purposes; nor shall any such open into any stream, ditch or drain, except common sewers, nor shall any such be drained into an underground flow of water or water stratum which is used as a source of water supply.

RULE 45. *Drains.*—All drains carrying domestic sewage containing human or animal excreta passing within 50 feet in ordinary soil or 80 feet in sandy soil, of any source of water supply shall be water-tight.

Nuisances—Definition—Abatement. (Reg. Bd. of H., June 13, 1917.)

PART 5. RULE 46. *Nuisances.*—(a) Any outside toilet or privy, privy vault, cesspool or other place used for the deposit of human excreta which permits access to the contents by animals (dogs, chickens, etc.) which permits access to the contents by flies or other insects, which creates foul or objectionable odors, or which is so located as to render the pollution of domestic water supplies probable or dangerous, is defined as a common or public nuisance dangerous to the public health and subject to condemnation by local boards of health.

(b) The collection of refuse matter in or around the immediate vicinity of any dwelling or place of business, such as swill, waste of meat, fish or shells, bones, decaying vegetables, dead carcasses, human or animal excrement, or any kind of offal that may decompose and thus create an attraction or breeding place for flies, shall be considered a nuisance, and such refuse must be removed or disposed of either by burial, burning or otherwise, and in such manner as not to be offensive.

(c) A pigpen which is maintained within 100 feet of any well or spring of water used for drinking purposes, or within 30 feet of any street or 50 feet of any inhabited house, or which is kept in such manner as to be offensive, shall be considered a nuisance. It is recommended that no swine shall be kept within the limits of any incorporated city between May 1 and November 1 of any year.

(d) Local boards of health are charged with the responsibility of ordering the abatement or removal of such nuisances, named in the preceding paragraphs.

Public Buildings—Sanitary Control and Inspection. (Reg. Bd. of H., June 13, 1917.)

PART 5. RULE 48. *Sanitary control of public buildings.*—Local boards of health or health officers shall have sanitary control of all county and municipally owned buildings within their jurisdiction and shall make inspection of all toilets, drainage and ventilation and where faulty hygienic surroundings are found they shall make recommendations in writing for their betterment to the county board of health and the judge of the district court and copies of all such recommendations shall be filed with the State board of health.

Mausoleums and Burial Vaults—Construction and Maintenance. (Ch. 85, Act Feb. 13, 1917.)

SECTION 1. That hereafter when any person, firm, or corporation, shall desire to build, construct, or erect any mausoleum, vault, or burial structure, the same to be built or constructed entirely above the ground, or partly by excavation, and to be built, constructed and erected so that the same may contain one or more deceased human bodies for permanent interment, before proceeding to build, construct, or erect such mausoleum, vault or other structure, shall present and file a copy of all the plans and specifications for such construction with the State board of health of the State of Kansas, and before approving such plans and specifications said board of health shall be satisfied beyond any doubt that the said mausoleum, vault, or other structure would be absolutely permanent and sanitary, and if approved, said approval shall be evidenced by a certificate in writing signed by a majority of all the members of said board of health may proceed [sic] with the construction and erection of such mausoleum, vault, or other structure.

SEC. 2. All crypts, catacombs, if any be placed therein in such mausoleum, vault, or other structure, shall be so constructed that all parts thereof may be readily and easily examined by the State board of health, or any other health officer and such crypts or catacombs, shall be hermetically sealed, after such deceased bodies shall have been placed therein, that no offensive or unhealthful odor or effluvia may escape therefrom.

SEC. 3. Should any firm, person, or corporation fail to hermetically seal such crypt or catacombs, so placed or constructed in such mausoleum, vault, or other burial structure and by reason of such failure, or other reasons offensive odors or effluvia arise therefrom, such State board of health or any health officer of the State or county, in which such mausoleum, vault, or other burial structure shall be situated shall upon the complaint of any city health officer or resident of the township, where such mausoleum, vault, or other structure may be situated, compel the sexton or other persons in charge of such mausoleum, vault, or other burial structure to immediately place such mausoleum, vault, or other burial structure in perfect and sanitary condition or immediately remove said deceased body or bodies therefrom, and properly inter the same at the expense of the person, firm, or corporation, owning such mausoleum, vault, or other burial structure. And if no such person, firm, or corporation can be found in the county where the same may be located, then such interment shall be at the expense of the township or city where such structure may be situated.

SEC. 4. Any firm, person or corporation who shall fail or refuse to comply with the provisions of this act, may be fined in any sum, not to exceed \$500 or by imprisonment in the county jail not exceeding six months.

Industrial Camps—Permits—Sanitary Regulation. (Reg. Bd. of H., June 13, 1917.)

PART 4. RULE 41. *Requirements for industrial camps.*—(a) Since it has been repeatedly proven that the congregation of many individuals under primitive and insanitary conditions is favorable to the development and transmission of typhoid fever or other infectious, contagious and communicable diseases dangerous to the public health, it is hereby ruled that hereafter contractors and all other persons who may establish any industrial or construction camp or camps, for the purpose of drilling for oil or any like industry, or for the purpose of constructing a highway, road or railroad, or other work requiring the maintenance of persons engaged in such work, or any other temporary or permanent industrial or construction camps of whatsoever nature, shall arrange such camp or camps in a manner approved by the State board of health or its authorized representatives, so as to maintain proper sanitary conditions, and no such camp or camps shall be established without a written permit from the State board of health, as hereinafter provided.

Manner of obtaining permits.—(b) The application for such permit shall be accompanied by a copy of the plans, specification and arrangements for such proposed camp or camps and shall contain a description of the source of the water supply and of sewage and waste disposal facilities. Such application shall be referred to the secretary and the engineer of the State board of health, and shall meet with their approval when a permit shall be issued by them in the name of the State board of health.

All contractors and other persons responsible for the construction, control and management of industrial camps shall use all reasonable precautions to protect the persons in their employ and the general public from infectious, contagious or communicable diseases and to that end shall follow the instructions furnished by the State board of health through its representatives, the secretary and engineer of the State board of health.

RULE 42. *Duties of health officers.*—(a) Every local health officer shall report to the State board of health on the location of all industrial or construction camps within his jurisdiction, in the months of April and October of each year.

(b) Whenever a local health officer shall receive information as to the proposed location of new camps within his jurisdiction, he shall notify the State board of health, giving the location of camp and name and address of parties responsible for said camp.

(c) Whenever it shall be deemed necessary by the secretary or engineer of the State board of health, local health officers are required to make investigations and shall report upon the conditions of camps within their respective jurisdictions.

Offensive Trades—Sanitary Regulation—Inspection. Slaughterhouses—Inspection.
(Reg. Bd. of H., June 13, 1917.)

PART 5. RULE 47. *Unwholesome manufactory.*—(a) No person or company shall maintain any manufactory or place of business, such as tanneries, establishments for boiling bones or dead animals, manufacturing of fertilizer, rendering plants, etc., where unwholesome, offensive or deleterious odors, gases, smoke or exhalations are generated, or which shall be deemed favorable for the attraction or breeding of flies, except such establishments shall be kept clean and wholesome; nor shall any offensive or deleterious or waste substance, refuse or injurious matter from such establishments be allowed to accumulate upon the premises or be thrown or allowed to run into any public waters, stream, watercourse, street, road, or public place; and every person or company conducting such manufactory or business shall use all reasonable means to prevent the escape of smoke, gases and odors or the accumulation of waste, and to protect the health and safety of all operatives employed therein and to protect the health and safety of the general public or all persons residing in the vicinity of such manufactory or place of business.

(b) County and municipal boards of health shall be required to inspect or have inspected by their health officer all places defined in paragraph (a) and also all slaughterhouses or other places where animals are slaughtered for food, at least twice annually, and that a report on all such places shall be filed with the State board of health together with copies of all orders or recommendations which shall be made to the owners of such places by local board of health or health officer.

Noxious Weeds—Destruction in Certain Cities. (Ch. 112, Act Feb. 23, 1917.)

SECTION 1. That section 1820, General Statutes of 1915, be and is hereby amended so as to read as follows:

SEC. 1820. That all cities of the second and third class are hereby authorized to provide for and require the cutting or destruction of all noxious weeds on lots or pieces of land within said city; and where the occupant, owner or agent shall refuse after 5 days' written or printed notice by the city clerk, or in cases where the owner is unknown or is a nonresident, and there is no resident agent, 10 days after notice has been published by the city clerk in the official city paper, the street commissioner shall cut or destroy such weeds as aforesaid, and shall keep an account of the cost of same and report to the city clerk; and the city may levy a special assessment for such cost against the lot or piece of land in the same manner as is required for the building of sidewalks.

SEC. 2. That sections 1820 and 809 of the General Statutes of 1915, in so far as they conflict with the provisions of this act, and all other acts or parts of acts in conflict herewith are hereby repealed.

LOUISIANA.

Milk and Milk Products—Persons Handling, Prohibited from Entering Places where Communicable Disease Exists or Communicating with Occupants of Same. (Reg. Bd. of H., Oct. 30, 1917.)

Amend sanitary code, section 217,¹ as follows:

"Insert after the word 'where' and before the word 'exists' in line 16, 'syphilis or tuberculosis in any stage.' Insert after the word 'exists' and before the word 'any' in line 16 a comma '(,)' then the word 'or.' Strike out the words 'contagious or infectious' in line 16 and insert in their stead the word 'communicable'."

The sentence beginning with line 14 and ending in line 18, as changed, should read as follows:

"No person who has anything to do in the production or handling of milk or milk products shall enter any place where syphilis or tuberculosis in any stage exists, or any communicable disease, nor have any communication with any person who is an occupant of such infected place."

Milk—Production and Sale—Construction of Barns—Cleanliness—Water Supply. (Reg. Bd. of H., Oct. 30, 1917.)

Amend sanitary code, section 208,² to read as follows:

SEC. 208. Every person maintaining cows for the production and sale of milk shall provide a well lighted and properly ventilated barn, with sound tight floor and proper gutter; he shall paint partitions, stanchions and mangers with creosote, and shall paint walls up to three and a half feet with creosote; the remaining portions of walls and the ceiling to be whitewashed or painted white; he shall also provide an adequate supply of water of good quality and proper for maintaining the health and good condition of the cows, and necessary purposes connected with the dairy. All sources of impure water in and about the dairy or dairy farm, inclosures and pasturage for the cows, shall be abolished.

Births and Deaths—Preservation of Records. (Reg. Bd. of H., Oct. 30, 1917.)

Amend sanitary code, section 180 (b), to read as follows:

SEC. 180. (b) If any cemetery company or association, or any church or historical society or association, or any individual, is in possession of any record of births or deaths which may be of value in establishing the genealogy of any resident of this State, such company, society, association or individual, may file such record or a duly authenticated transcript thereof with the State registrar and it shall be the duty of the State registrar to preserve such record form as to facilitate the finding of any information contained therein.

Common Hair Brushes—Prohibited in Public Places. (Reg. Bd. of H., Oct. 30, 1917.)

Amend sanitary code, section 141, by adding paragraph (b):

SEC. 141. (b) The use of the common hair brush on railway trains, in dressing rooms or other apartments of railway stations, steamboats, hotels, boarding houses, stores, offices, schools, natatoriums (or other bathing establishments), barber shops,

¹ Pub. Health Repts. Reprint 338, p. 256.

² Pub. Health Repts. Reprint 338, p. 255.

hair-dressing parlors, or any publicly frequented place in Louisiana is hereby prohibited on and after March 1, 1918.

No person, company, or corporation in charge of any of the aforesaid places shall furnish any hair brush for public use in said place, etc., and no person, company, or corporation shall permit on said railway trains, in dressing rooms or other apartments of railway stations, steamboats, hotels, boarding houses, stores, offices, schools, natoriums (or other bathing establishments), barber shops, hair-dressing parlors or any publicly frequented place in Louisiana, the use of the hair brush in common.

Hair Brushes—Amendment to Rules Regulating Barber Shops. (Reg. Bd. of H., Oct. 30, 1917.)

Amend sanitary code, section 130, as follows:

Amend by omitting the words "hair brushes," the last word on first line and first word on second line, also from second line, first two words of section 131, and any other place where it may now appear under barber shops, section 126 to 142, inclusive.

Poisonous Patent Medicines or Compounds for Destruction of Vermin—Sale—Labeling. (Reg. Bd. of H., Oct. 30, 1917.)

Amend food and drug regulation No. 33 to read as follows:

Reg. 33. (a) Patent medicines or compounds for the destruction of vermin, which contain ingredients of a poisoning character, may be sold without a physician's prescription to persons of full age and sound mind, and personally known to the vendor. These articles shall always be labeled "Poison."

(b) Poisons or compounds containing poisonous ingredients shall not be sold to minors.

MAINE.

Communicable Diseases in Unorganized Townships—Notification of Cases—Control. (Reg. Dept. of H., Dec. 31, 1917.)

SECTION 1. *Definitions.*—The following words and terms used in these rules and regulations are defined for the purposes thereof as follows:

(1) The term "unorganized township" means and includes any township, plantation, or tract of land which is unorganized or which has no local board of health or legal health organization.

(2) The term "householder" or "camp boss" means and includes parent or other head of a family, lumber operator, boss, manager or other person who has charge of any lumber operation, lumber camp or other camp, or of any mill, river driving crew, or of a number or group of persons living or working together.

SEC. 2. When any of the notifiable diseases, namely—smallpox, chicken pox, typhoid fever, diphtheria, meningitis, measles, German measles, mumps, tuberculosis, anthrax, cholera, dysentery, epidemic sore throat, glanders, pellagra, or inflammatory eye diseases of the new-born are found in any unorganized township, such cases shall be reported direct and promptly to the State department of health, Augusta, Maine.

SEC. 3. Whenever in an unorganized township any householder or camp boss has reason to believe that any person within his household, camp or other place has any of the diseases above named, he shall promptly notify the State department of health of the presence of the disease, or of his suspicion that it is present. The notification to the State department of health shall include the number of persons sick or affected with the disease, the location of the camp, or crew, and information about the best route of travel to reach the case or cases in question.

It shall also be the duty of any person in charge of any household, camp or crew to do promptly everything possible to prevent the further spread of the disease or of the infection thereof.

SEC. 4. Whenever the State department or a district health officer or other officer or agent of said department has given any orders or directions for the control of an infectious disease, it shall be the duty of every person within the area covered by the order to obey said order.

SEC. 5. Copies of these regulations shall be posted in unorganized towns.

Venereal Diseases in Institutions—Notification of Cases—Laboratory Tests—Treatment—Isolation—Distribution of Information. (Ch. 301, Act Apr. 7, 1917.)

SECTION 1. *R. S., c. 19, relating to public health and prevention of contagious diseases, amended.*—Chapter 19 of the revised statutes is hereby amended by adding at the end of said chapter the following sections, namely:

SEC. 125. *Venereal diseases; cases found in charitable or correctional institutions to be reported.*—It shall be the duty of every superintendent, manager, or physician in charge of any State, county, or municipal charitable or correctional institution immediately to report to the State board of health every case of venereal disease among the inmates of said institution of which he has knowledge. It shall be the duty of every superintendent, manager, or physician in charge of any State-aided, county-aided, or municipally-aided charitable institution to make a similar report to the State board of health in relation to inmates of such institution, the cost of whose care and treatment is being paid in whole or in part by the State, or by any county or municipality in the

State. Said report shall be made in the form which may be required by the rules and regulations of the said State board: *Provided*, That such rules and regulations shall not require said reports to be made in a form which will disclose to the State board of health or to any other person, except the said superintendent, manager, or physician, the identity of the inmate. Said superintendents, managers, and physicians shall comply with such rules and regulations as are made by the said State board to prevent the spread of venereal disease.

SEC. 126. *Reports to be treated as confidential.*—The reports to the State board of health prescribed by the preceding section shall be confidential, and shall not be accessible to the public nor shall such records and reports be deemed public records.

SEC. 127. *Examination and treatment of gonorrhea and syphilis.*—The State board of health shall provide, at the State laboratory of hygiene or elsewhere, facilities for the free bacteriological examination of discharges for the diagnosis of gonorrheal infections, and shall also provide at cost vaccine or antitoxin for the treatment of such infections. And said board shall make at the expense of the State the Wassermann test for the diagnosis of syphilis; and shall furnish the treatment known as salvarsan or other accredited specific treatment at cost.

SEC. 128. *State board of health to include information, concerning venereal diseases, in bulletins.*—The State board of health shall include in bulletins and circulars distributed by it, information concerning the diseases covered by the preceding sections: *Provided*, That nothing shall be contained in such bulletins or circulars which will disclose the identity of the persons suffering from such venereal disease nor the identity of any State-aided, county-aided or municipally-aided charitable institution in which such persons are treated or cared for.

SEC. 129. *Persons discovered afflicted, in institutions, to be treated; may be isolated; may be continued in custody; expenses after expiration of sentence.*—Any inmate of any State, county or municipal charitable or correctional institution, or any dependent child supported or partially supported by public funds, afflicted or suspected of being afflicted with venereal disease, shall forthwith be placed under medical treatment, and, if in the opinion of the attending physician, it is necessary, shall be isolated until danger of contagion is passed. Such case shall be immediately reported to the State board of health in accordance with the latter's rules and regulations, provided that such rules and regulations shall not require information disclosing the identity of any dependent or delinquent child, and the rules and regulations of the State board of health for the examination, testing and treatment of cases of venereal disease shall be faithfully observed. If the sentence or term of commitment of an inmate to any such State, county or municipal charitable or correctional institution expires before such disease is cured, or if, in the opinion of the attending physician of the institution, or of such physician as the authorities thereof may consult, his discharge would be dangerous to the public health, he shall be continued under such medical treatment, care and custody until in the opinion of such physician his discharge will not endanger the public health. The expenses of his support and treatment shall be paid by the place in which he has a pauper settlement, or by the State if he has no pauper settlement, after notice of the expiration of his sentence and of his condition to the overseers of the poor of the city or town or plantation where he was residing at the time of his commitment to the institution.

SEC. 130. *Penalty for neglect of duty.*—Any official or person who shall wilfully fail, neglect or refuse to perform any of the duties imposed upon him by the provisions of this act shall be fined not more than \$500 or be imprisoned for not more than six months.

SEC. 131. *Appropriation.*—For the purpose of enabling the State board of health to carry out the provisions of this act there is hereby appropriated for the year 1917 the sum of \$4,000, and for the year 1918, the sum of \$4,000.

Tuberculosis—Admission and Maintenance of Patients at State Sanatoriums. (Ch. 264, Act Apr. 7, 1917.)

R. S., c. 146, sec. 5, relating to admission of patients to State tuberculosis sanatoriums, amended.—Section 5 of chapter 146 of the Revised Statutes shall be amended by striking out of the sixth to the eleventh lines the following:

"Whenever a patient is received for treatment in any of these State sanatoriums the charge for treatment shall not exceed \$5 per week. If upon due inquiry into the circumstances of a patient, the superintendent of a sanatorium finds such patient or his relatives unable to pay for his care and treatment in whole or in part, the charge for such care and treatment not so paid shall be laid upon the State," and by inserting in the same place the following:

"All patients in the State sanatoriums shall pay to the State the actual cost of such treatment including all board, supplies and incidentals: *Provided*, That the trustees of said sanatoriums may after a proper investigation of the financial circumstances of the patient, either before or after admission, if they find said patient or his or her relatives are unable to pay said cost in whole or in part, waive such cost charge or so much thereof as they deem the circumstances warrant: *And provided further*, That said trustees in granting admissions to said sanatoriums, after giving consideration to the need of treatment by, and the menace to other persons of, the prospective patient, shall not give preference to any person because of his ability to pay the whole or any part of said cost charge," so that said section as amended shall read as follows:

SEC. 5. *Preference not to be given in reception of patients to those able to pay; charge for treatment, actual cost.*—Persons having legal residence in Maine shall be admitted to these sanatoriums from any part of the State; provided after due examination by any reputable physician or the superintendent of the sanatorium said person shall be found to be suffering from tuberculosis. All patients in the State sanatoriums shall pay to the State the actual cost of such treatment including all board, supplies and incidentals: *Provided*, That the trustees of said sanatoriums may, after a proper investigation of the financial circumstances of the patient, either before or after admission, if they find said patient or his or her relatives are unable to pay said cost in whole or in part, waive such cost charge or so much thereof as they deem the circumstances warrant: *And provided further*, That said trustees in granting admissions to said sanatoriums after giving consideration to the need of treatment by and the menace to other persons of, the prospective patient, shall not give preference to any person because of his ability to pay the whole or any part of said cost charge. No discrimination shall be made in the accommodation, care or treatment of any patient because of the fact that the patient or his relatives do or do not contribute in whole or in part to the charge for treatment; and no officer or employee of such State sanatorium shall accept from any patient thereof any fee or gratuity whatever for any service rendered.

State Department of Health—Creation—State Commissioner of Health—Public Health Council—District Health Officers. (Ch. 197, Act Apr. 6, 1917.)

SECTION 1. There is hereby created a State department of health which shall exercise all the powers and perform the duties now conferred and imposed by law upon the State board of health. The State department of health shall consist of a commissioner of health and a public health council. There shall also be directors of divisions, district health officers, and other employees as hereinafter provided.

SEC. 2. The headquarters of the department shall be at Augusta and suitable rooms for offices and laboratories shall be provided by the State for the use of the department. The department shall furnish its own supplies and equipment out of the fund hereinafter provided for its use.

SEC. 3. The commissioner of health shall be appointed by the governor with the advice and consent of the council and he shall be a physician skilled in sanitary science and experienced in public health administration. The term of office of the commissioner of health shall be six years and he shall devote his entire time to his official duties. The commissioner of health shall be the administrative head of the State department of health and his powers and duties shall be to administer the laws relative to health and sanitation and the regulations of the department; to prepare rules and regulations for the consideration of the public health council; and with the advice of the public health council to appoint and remove directors of divisions, district health officers, inspectors and other necessary employees and to fix their compensation within the limitations of the appropriation therefor. The commissioner of health shall submit annually to the public health council a report containing recommendations in regard to health legislation; and he shall perform all executive duties now required by law of the State board of health and such other duties as are incident to his position as chief executive officer. He may direct any executive officer or employee of the State department of health to assist in the study, suppression or prevention of disease in any part of the State. The commissioner of health may be removed by the governor with the advice and consent of the council for cause shown at a hearing.

SEC. 4. The public health council shall consist of the commissioner of health and four other members hereinafter called the appointive members, at least two of whom shall be physicians and who shall be appointed by the governor with the advice and consent of the council. Of the members first appointed one shall hold office until the first day of May in the year 1918, one until the first day of May in the year 1919, one until the first day of May in the year 1920, and one until the first day of May in the year 1921, and the terms of office of the said members thereafter appointed except to fill vacancies shall be four years. Vacancies shall be filled by appointment of the governor with the advice and consent of the council for the unexpired term. The public health council shall meet at least once in each month and at such other times as they shall determine by their rules, or upon the request of any three members, or upon request of the commissioner of health. It shall be the duty of the public health council to make and promulgate rules and regulations in furtherance of the public health law; to consider plans and appointments required by law; to submit annually to the legislature through the governor a report, including recommendations as to needed health legislation; and to discharge other duties required by law, but it shall have no administrative or executive functions.

SEC. 5. There shall be in the State department of health such divisions as the commissioner of health may, with the approval of the public health council, from time to time determine. The commissioner of health shall appoint and may remove, with the advice of the public health council a director to take charge of each division and shall prescribe the duties of such directors of divisions.

SEC. 6. The commissioner of health, with the advice of the public health council, shall from time to time, divide the State into three or more health districts and shall appoint and may remove district health officers for each district. The district health officers shall not be engaged in any other occupation and shall give their entire time to the performance of their duties. The commissioner of health may order two or more of said district health officers to work in one district in order to study, suppress or prevent disease. Each district health officer shall, under the direction of the commissioner of health, perform such duties as may be prescribed by the commissioner of health and shall act as the representative of the commissioner of health and under his direction shall secure the enforcement within his district of the public health laws and regulations. Said district health officers shall be graduates of an incorporated medical school and admitted to practice medicine in this State, or shall have been certified in public health by a reputable institution of collegiate grade.

SEC. 7. The commissioner of health shall receive an annual salary of \$4,000. The appointive members of the public health council shall receive \$5 per day while in conference and their necessary traveling expenses while in the performance of their official duties. The compensation of directors of divisions and of the district health officers shall be fixed by the commissioner of health, and shall not exceed \$2,500 per year.

SEC. 8. The sum of \$30,000 shall be annually appropriated for the purposes of the State department of health.

SEC. 9. Nothing in this act shall be construed to empower or authorize the State department of health or its representative to interfere in any manner with the individual's right to select the physician or mode of treatment of his choice, providing that sanitary laws, rules and regulations are complied with.

SEC. 10. All acts and parts of acts inconsistent herewith are hereby repealed, but it is expressly provided that all penalties now provided by law for the violation of the public health laws and regulations shall continue in force.

Dairy Inspectors—Appointment, Powers, and Duties—Penalty for Interference with.
(Ch. 190, Act Apr. 6, 1917.)

SECTION 1. *R. S., c. 37, sec. 12, relating to appointment of inspectors of milk, amended.*—Section 12 of chapter 37 of the revised statutes is hereby amended by inserting after the word "milk" in the fifth line thereof the words "cream, butter, and all other dairy products, substitutes therefor and imitations thereof," so that said section as amended shall read as follows:

SEC. 12. *Made to include all dairy products.*—The municipal officers of cities and towns containing not less than 3,000 inhabitants, and the municipal officers of all other towns on application of 10 voters therein, shall appoint annually one or more persons to be inspectors of milk, cream, butter and all other dairy products, substitutes therefor and imitations thereof, who before entering upon their duties, shall give notice of their appointment by publishing the same for two weeks in a newspaper published in their towns, if any, otherwise by posting such notice in two or more public places therein; and they may receive such fees as said officers establish.

SEC. 2. *R. S., c. 37, sec. 13, relating to duties of inspectors, amended.*—Section 13 of chapter 37 of the revised statutes is hereby amended by striking out all of said section and substituting therefor the following:

SEC. 13. *Inspectors shall have access at reasonable hours to all places where dairy products are handled; shall pay for sample taken.*—Inspectors appointed by the municipal officers of cities and towns shall keep an office and books for the purpose of recording the names and places of business of all persons selling milk or other dairy products within their jurisdiction. They shall have access at all reasonable hours to all places of business, factories or carriages, cans or other vessels used in the production, handling or sale of milk or any other dairy product, substitute therefor or imitation thereof, and, upon tendering the market price of a sample of milk or other dairy product, substitute therefor or imitation thereof, may take such sample from any person, firm, corporation or association; cause it to be analyzed or otherwise satisfactorily tested, and preserve the result as evidence. The inspectors shall, if the owner of the product inspected so requests, leave with the owner a sealed specimen of the product examined by them, which shall be marked in the same manner as the specimen taken at that time by the inspector; and they shall prosecute for all violations of sections 15 and 28.

SEC. 3. *R. S., c. 37, relating to regulation of sale of milk, supplemented.*—Chapter 37 of the revised statutes is hereby amended by adding the following section:

SEC. 37. *Interference with milk inspector; penalty.*—Whoever in any way interferes with a milk inspector of a city or town, or his agent, in the performance of his duties, by refusing entrance to a place he is authorized to enter, or access to a receptacle to

which he is authorized to have access, or by refusing to deliver to him a sample which he is authorized to take, or in any other way interferes with said inspector or his agent in the performance of his duties, shall be fined not less than \$10 nor more than \$50, or imprisoned for not less than 10 nor more than 30 days.

Water Supplies—Prevention of Pollution—Sewage and Drainage Disposal. (Ch. 98, Act Mar. 29, 1917.)

SECTION 1. *Public utilities commission to advise municipalities as to purification of water supply and disposal of sewage.*—The public utilities commission shall consult with and advise the authorities of cities and towns and persons and corporations having, or about to have, systems of water supply, drainage or sewage as to the most appropriate source of water supply and the best method of assuring its purity or as to the best method of disposing of their drainage or sewage with reference to the existing and future needs of other cities, towns or persons or corporations which may be affected thereby. It shall also consult with and advise persons or corporations engaged or intending to engage in any manufacturing or other business whose drainage or sewage may tend to pollute any inland water, as to the best method of preventing such pollution, and it may conduct experiments to determine the best method of the purification or disposal of drainage or sewage. No person shall be required to bear the expense of such consultation, advice or experiment. Cities, towns, persons and corporations shall submit to said commission for its advice their proposed system of water supply or of the disposal of drainage or sewage and all petitions to the legislature for authority to introduce a system of water supply, drainage or sewage shall be accompanied by a copy of the recommendation and advice of said commission thereon. In this section the term "drainage" means rainfall, surface and subsoil water only, and "sewage" means domestic and manufacturing filth and refuse.

SEC. 2. *Commission to hold public hearing upon complaints of pollution.*—Upon petition to said commission by the mayor of a city or the selectmen of a town the managing board of officers of any public institution, or by a board of water commissioners, or the president or other official of a water or ice company, stating that manure, excrement, garbage, sewage or any other matter pollutes or tends to pollute the waters of any stream, pond, spring or watercourse used by such city, town, institution or company, as a source of water supply, the commission shall appoint a time and place within the county where the nuisance or pollution is alleged to exist for a hearing, and after such notice thereof to parties interested and a hearing, if in its judgment the public health so requires, may, by an order served upon the party causing or permitting such pollution, prohibit the deposit, keeping or discharge of any such cause of pollution, and shall order him to desist therefrom and to remove any such cause of pollution; but the commission shall not prohibit the cultivation and use of the soil in the ordinary methods of agriculture if no human excrement is used thereon. Said commission shall not prohibit the use of any structure which was in existence on or before the first day of January, 1917, upon a complaint made by any city, town, corporation or water district, water or ice company, unless such city, town, corporation, water district or company files with said commission a vote of its city council, selectmen, corporation, water district or company that such city, town, corporation, water district or company will, at its own expense, make such changes in said structure or its location as said commission shall deem expedient. Such vote shall be binding on such city, town, corporation, water district or company and all damages caused by any such change shall be paid by such city, town, corporation, water district or company. If the parties can not agree thereon, the damage shall, on petition of either party, filed within one year after such changes are made, be assessed by a jury in the supreme judicial court for the county where such structure is located.

SEC. 3. *Appeal from decision of commission may be taken to supreme court.*—Whoever is aggrieved by an order passed under the provisions of the preceding section may appeal therefrom to the supreme judicial court sitting in the county where appellant resides; but such notice of the pendency of the appeal as the court shall order shall also be given to the board of water commissioners and the mayor of the city or chairman of the selectmen of the town or president or other officer of the water or ice company interested in such order. While the appeal is pending, the order of the commission shall be complied with unless otherwise authorized by the commission.

SEC. 4. *Supreme court to enforce orders of commission.*—The supreme judicial court shall have jurisdiction in equity, upon the application of the public utilities commission or of any party interested, to enforce its orders, or the orders, rules and regulations of said public utilities commission, and to restrain the use or occupation of the premises or such portion thereof as said commission may specify, on which said material is deposited or kept, or such other cause of pollution exists until the orders, rules and regulations of said commission have been complied with.

SEC. 5. *Agents of commission may enter upon and examine property.*—The agents and servants of said public utilities commission may enter any building, structure, or premises for the purpose of ascertaining whether sources of pollution or danger to the water supply there exists, and whether the rules, regulations and orders aforesaid are obeyed.

SEC. 6. *Penobscot, Kennebec, Androscoggin and Saco Rivers exempt from prohibition against deposit of sewage.*—Unless the public utilities commission determines that public health will not thereby be seriously injured, no sewage, drainage, refuse or polluting matter of such kind and amount as either by itself or in connection with other matter will corrupt or impair the quality of the water of any pond or stream used as a source of ice or water supply by a city, town, public institution or water company for domestic use or render it injurious to health, and no human excrement shall be discharged into any such pond or stream or upon the banks thereof if any filtering basin in use is there situated. The prohibition against the deposit of sewage, drainage, refuse, polluting matter and human excrement shall not apply to the following rivers, namely, the Penobscot, the Kennebec, the Androscoggin and the Saco.

SEC. 7. *Penalty for violation.*—Whoever violates any rule, regulation or order made under the provisions of any section hereof shall be punished for each offence by a fine of not more than \$500 to the use of the State or by imprisonment for not more than one year or by both such fine and imprisonment.

SEC. 8. *Commission may expend \$4,000 in each of years 1917-18.*—Said commission may appoint, employ and fix the compensation of such agents, clerks, servants, engineers and expert assistants as is considered by said commission necessary; and for the purpose of carrying out the provisions of this act, said commission may expend the sum of not over \$4,000 in each of the years 1917 and 1918, which sums are hereby appropriated therefor.

Water Supplies—Penalty for Pollution of. (Ch. 126, Act Mar. 29, 1917.)

SECTION 1. Section 1 of chapter 130 of the revised statutes is hereby amended by striking out the word "one" in the ninth line thereof and substituting therefor, the word "five" and by striking out from the tenth line thereof the words "not exceeding one year" and substituting therefor the words "for any term of years," so that said section as amended shall read as follows:

SECTION 1. *Penalty increased.*—Whoever knowingly and wilfully poisons, defiles or in any way corrupts the waters of any well, spring, brook, lake, pond, river or reservoir, used for domestic purposes for man or beast, or knowingly corrupts the sources of any public water supply, or the tributaries of said sources of supply in such manner as to affect the purity of the water so supplied, or knowingly defiles such

water in any manner, whether the same be frozen or not, or puts the carcass of any dead animal or other offensive material in said waters, or upon the ice thereof, shall be punished by a fine not exceeding \$5,000 or by imprisonment for any term of years.

Births and Deaths—Certified Copies of Records to be Transmitted by Town Clerks to Other Towns in Certain Cases. (Ch. 29, Act Mar. 8, 1917.)

R. S., c. 64, sec. 28, relating to record of births and deaths by town clerks, amended.—That section 28 of chapter 64 of the revised statutes be amended by adding after the word "burial" in the eighth line thereof the words "or whenever the deceased person was born in any other town of this State," and by inserting after the word "burial" in the eleventh line thereof the words "or in which said deceased person was born as aforesaid" so that said section as amended shall read as follows:

SEC. 28. *Certified copy of record of death of person born in another town in this State to be transmitted to clerk of said town.*—The clerk of each town shall, on the first Monday of each month, make a certified copy of the record of all deaths and births recorded in the books of said town during the previous month, whenever the deceased person, or the parents of the child born were resident in any other town in this State at the time of said death or birth, or whenever they were recently resident in any other town, or whenever the remains of any deceased person have been carried to any other town for burial or whenever the deceased person was born in any other town of this State, and shall transmit said certified copies to the clerk of the town in which said deceased person or parents were resident at or near the time of said birth or death, or to which the remains of such deceased person have been carried for burial, or in which said deceased person was born as aforesaid, stating in addition the name of the street and the number of the house, if any, where such deceased person or parents so resided, whenever the same can be ascertained; and the clerk so receiving such certified copies shall record the same in the books kept for recording deaths or births. Such certified copies shall be made upon blanks to be furnished for that purpose by the registrar of vital statistics.

Hotels—Disposal of Garbage and Refuse—Protection of Foodstuffs—Employees—Cleanliness—Bed Linen—Water Supplies—Privies—Individual Towels and Drinking Cups—Ventilation—Change of Management to be Reported—Inspection Certificate. (Reg. Dept. of H., Dec. 31, 1917.)

1. *General cleanliness.*—No garbage, manure, filth, decaying or other organic material which may serve as a breeding place for flies or harbor the agents of infectious disease shall be left exposed or allowed to accumulate upon any hotel or restaurant lot. For those hotels which are not in close proximity to other buildings the term lot shall be understood to include the area within 100 yards of the hotel buildings.

2. *Food.*—No food shall be left exposed to dirt, flies, rats, mice, water bugs or other vermin between such times as meals are being served, or at any other time.

3. *Cold storage.*—All refrigerators or rooms in which food is kept in cold storage shall be clean and free from decaying food at all times. Such refrigerators and store rooms shall be kept at a temperature below 50 degrees Fahrenheit.

4. *Screening.*—The doors and windows of all hotel and restaurant kitchens, dining rooms and rooms where food is prepared or kept shall be adequately screened against house flies and other insects.

5. *Garbage disposal.*—All garbage and kitchen waste shall be kept in covered metal containers or otherwise adequately protected from access to flies and rats.

6. *Infectious food handlers.*—No person having a communicable disease shall be allowed to handle or serve food. If an employee of a hotel or restaurant is suspected to be harboring the organism of any infectious disease the manager shall require such per-

son to submit to him a certificate of health from a reputable physician or shall notify the State department of health by telegram of existing conditions.

7. *Washing hands after using toilet.*—All food handlers are required to wash their hands directly after using the toilet, water-closet, or urinal and a notice to this effect, furnished by the State department of health, shall be posted conspicuously in each toilet used by such persons.

8. *Clean rooms.*—All hotels shall be kept clean, in a sanitary condition and free from noxious odors arising from any sewer, drain, privy, or other source within the control of the owner, manager, or agent.

9. *Clean linen.*—Every hotel shall provide each bed, bunk, cot, or other sleeping place for the use of guests with clean sheets and pillow cases; and in no case after being used by one guest shall such sheets and pillow cases be used for another guest until they have been thoroughly washed and dried.

10. *Safe water supply.*—No hotel or restaurant shall furnish to their guests water which is polluted with human or animal excrement.

11. *Analyses of private water supplies.*—Any private water supply in use by a hotel shall be analysed by the State department of health at least once in two years and at such other times as may be required by the department, it being understood that no expense beyond express charges shall be borne by the hotel proprietor. Such water supplies shall at all times be subject to inspection.

12. *Sanitary privies.*—All privies shall be made fly tight and kept in such sanitary condition as may be approved by the State department of health.

13. Every hotel shall comply with the local and State laws or regulations regarding the disposal of sewage, the use of individual towels and drinking cups.

14. No window in a bedroom or other public room shall be so fastened that it may not be opened to provide necessary ventilation, if no other means of proper ventilation are provided. Where storm windows are installed some provision must be made whereby access to fresh air may be easily obtained.

15. *New management.*—Whenever a hotel or restaurant changes management it shall be the duty of the new manager to notify the State department of health of such change.

16. *Certificates.*—Upon the receipt of \$3 from the management of any hotel or restaurant complying with these regulations the State department of health may issue a revocable certificate, expiring one year from the date on which it is issued and having the date of expiration plainly printed thereon. The certificate may be renewed upon the payment of the above mentioned fee.

17. *Regulations shall be posted.*—A copy of these rules and regulations shall be posted in conspicuous places where they will be frequently seen by all employees at each hotel or restaurant.

The following is a specimen certificate to be of uniform dimensions and furnished with a standard frame according to the above-mentioned conditions:

HOTEL INSPECTION.

Certificate of the State Health Department of Maine.

This is to certify that the has been inspected by a representative of the State department of health and that it conforms to all the sanitary requirements, rules, and regulations of the department. This certificate may be revoked at any time should a violation of these regulations be found to exist.

This certificate expires

Signed:

.....
State Commissioner of Health.

.....
Hotel Inspector.

Children's Homes and Maternity Hospitals—License. (Ch. 176, Act Apr. 3, 1917.)

R. S., c. 64, sec. 58, relating to licensing of maternity hospitals, amended.—Section 58 of chapter 64 of the revised statutes, is hereby amended by striking out in the tenth and eleventh lines the words "on the third day of July, 1916, was" and inserting in lieu thereof the words "is or shall come" so that said section as amended shall read as follows:

SEC. 58. *Does not apply to institutions which are or shall hereafter come under supervision of State board of charities and corrections.*—No person, firm, corporation or association shall conduct or maintain a maternity hospital, or conduct or maintain a boarding house or home for three or more children under 16 years of age, unattended by parents or guardian, excepting children related to such persons by blood or marriage, or who have been legally adopted by such persons, or engage in, or assist in conducting a business of placing out or finding homes or otherwise disposing of children under 16 years of age, without having in full force a written license therefor from the State board of charities and corrections: *Provided*, That nothing in this section shall apply to any institution, which is or shall come under the supervision of the State board of charities and corrections by the provisions of chapter 147.

Children's Homes and Maternity Hospitals—Definition of Terms. (Ch. 149, Act Mar. 31, 1917.)

SECTION 1. *Term "boarding house for children" as used in R. S., c. 64, sec. 58, defined.*—The term "boarding house for children" as used in section 58 of chapter 64 of the revised statutes, shall be held to mean a house or other place conducted or maintained by any one who advertises himself or holds himself out as conducting a boarding place for children under 16 years of age, or who receives illegitimate children under 16 years of age, or who has in his custody or control three or more children under 16 years of age unattended by parents or guardians, for the purpose of providing such children with food or lodging, excepting children related to him by blood or marriage or who have been legally adopted by him.

SEC. 2. *Term "home for children" as used in R. S., c. 64, sec. 58, defined.*—The term "home for children" as used in said section 58, shall be held to mean any children's home, orphanage, or other institution, association, organization or individual engaged in receiving, caring for and finding homes for orphaned, dependent and neglected children.

SEC. 3. *Homes for children; who shall be deemed to be conducting such business.*—Whoever advertises himself or holds himself out as placing or finding homes for, or otherwise disposing of children under 16 years of age, or whoever within a period of six months, actually places or assists in placing in homes of persons other than relatives or causes or assists in causing the adoption or disposal otherwise of more than two children under 16 years of age, shall be deemed as engaged or assisting in conducting a business of placing out or finding homes for children within the meaning of said section 58.

SEC. 4. *Term "maternity hospital" as used in R. S., c. 64, sec. 58, defined.*—The term "maternity hospital" as used in said section 58 shall be held to mean a house or other place maintained or conducted by any one who advertises himself or holds himself out as having or conducting a maternity hospital or boarding house as herein defined; or a house or any other place in which any person receives, cares for or treats, within a period of six months, more than one woman during pregnancy, or during or after delivery, except women related to him by blood or marriage: *Provided, however*, That nothing herein shall be construed to prevent a nurse from practicing her profession in the home of the patient, or in any hospital which is otherwise under the supervision of the State board of charities and corrections other than a maternity hospital or boarding house for children.

MARYLAND.

Pneumonia—Notification of Cases—List of Reportable Diseases. (Reg. Bd. of H., Dec. 21, 1917.)

It is hereby declared by the State board of health that the disease commonly known as pneumonia is a "contagious or infectious disease dangerous to public health" within the meaning of chapter 243 of the acts of 1916, and physicians are required to give immediate notice in writing to "the board of health or health officer of the city, town, county, or district in which such disease exists."

Following is the list of "contagious or infectious diseases dangerous to public health" and reportable to the health authorities:

Anthrax, bubonic plague, cerebrospinal meningitis, chicken pox, cholera, dengue, diphtheria (membranous croup), dysentery, erysipelas, German measles, glanders (farcy), influenza (grippe), leprosy, malaria, measles, mumps, ophthalmia neonatorum, pellagra, poliomyelitis (infantile paralysis), rabies (hydrophobia), relapsing fever, scarlet fever (scarlatina, scarlet rash), septic sore throat, smallpox (variola, varioloid), trachoma, tuberculosis, typhoid fever, typhus fever, whooping cough, yellow fever.

Physicians failing or neglecting to give notice in accordance with the provisions of chapter 43 of the acts of 1916 are liable to a fine not less than \$10 and not exceeding \$100.

Water Supplies and Foodstuffs—Penalty for Pollution or Contamination of. (Ch. 8, Act June 27, 1917.)

SECTION 1. That an additional section be and the same hereby is added to article 27 of the Annotated Code of Maryland, title "Crimes and punishments," subtitle, "Poison—attempting to," said additional section to follow immediately after section 409 of said article and subtitle, to be numbered 409 A, and to read as follows:

409 A. Every person, his aiders and abettors, who knowingly and wilfully poisons, defiles, or in any way corrupts or contaminates the waters of any well, spring, brook, lake, pond, stream, river, reservoir, or other source of water supply, or any tributary thereof, used or usable for drinking or domestic purposes, by means of disease germs or bacteria or the insertion of any other poison or poisonous matter therein, or attempts so to do, or conspires or connives thereat, and every person, his aiders and abettors, who, by like means, knowingly and wilfully poisons, defiles or in any way corrupts or contaminates any drink, food or food products or supply, or attempts so to do, or conspires or connives thereat, shall be guilty of a felony, and upon conviction thereof shall be subject to imprisonment in the penitentiary for not more than 20 years, in the discretion of the court.

Water-Closets, Privies, and Cesspools—When Declared Nuisances—Abatement. (Ch. 36, Act June 27, 1917.)

SECTION 1. That nine new sections be added and the same are added to article 43 of the Annotated Code of Maryland, title, "health," subtitle, "nuisances," the same to follow immediately after section 106 of said article to be known as sections 106 A, 106 B, 106 C, 106 D, 106 E, 106 F, 106 G, 106 H, and 106 I, and to read as follows:

106 A. Whenever the State board of health, its officers or agents, upon investigation, shall find that the contents from any surface privy, privy pit, water-closet, or cesspool overflows or leaks from said surface privy, privy pit, water-closet, or cesspool; or shall find any surface privy, privy pit, water-closet, or cesspool on any premises

in this State, which is not fly-tight and water-tight, and shall also find on said premises the disease of cholera, typhoid or typhus fever, hookworm, dysentery, or parasitic disease of the bowels, then such premises, surface privy, privy pit, water-closet or cesspool, as the case may be, shall be deemed in a state of nuisance and liable to summary abatement by the State board of health.

106 B. Before proceeding to the summary abatement of any nuisance as described in section 106 A, the State board of health, its officers and agents, shall cause to be served an order on the owner of the premises, where such nuisance exists, or if such owner can not be found, then on the occupant or tenant, or if the premises be unoccupied and the owner can not be found, then said order to be attached to the property, requiring the abatement of said nuisance within not less than 24 hours nor more than 5 days from the date and hour of the service of said order, and in such order the State board of health, its officers and agents, shall set forth what work, materials and things shall be necessary to abate such nuisance.

106 C. If the said nuisance is not abated, or if it is only partially abated, in accordance with the order of the State board of health, its officers or agents, within the time specified in said notice, then the State board of health, its officers and agents, are authorized and directed to enter upon such premises in this State and abate the nuisance at the cost and expense of the owner, occupier or tenant of the premises; and they shall have power to do such work, and to use such materials and things as may be necessary to effectually abate the same: *Provided, however,* That in each and every case, the cost of abating such nuisance shall not exceed the sum of \$50.

106 D. If the cost and expense of abating any such nuisance is not paid to the State board of health by the person liable therefor within 60 days after the abatement thereof, then the State board of health shall file a suit, in its name, before a justice of the peace in the county where the nuisance was abated, or before the people's court of Baltimore City, as the case may be, against the owner, occupier or tenant of the property and premises where said nuisance existed, and said court shall have authority to proceed to judgment, either upon trial had after service of the writ, or *ex parte*, after the return of two non ests, as the case may be.

106 E. After final judgment in favor of the State board of health, it shall file a certified copy of the same with the county commissioners in the county where such judgment is obtained, or with the mayor and city council of Baltimore City, as the case may be, which judgment shall be a lien upon the property of the defendant, to be collected by the said county commissioners, or the said mayor and city council, as the case may be, in the same way as taxes on real property are now collected; the said lien to bear interest at the rate of 6 per centum from the date of judgment and to include the costs of the trial, and it shall not be subject to discount or abatement of any kind, nor shall said commissioners or the mayor and city council of Baltimore City so collecting the same be entitled to make any charge for such collection.

106 F. The county commissioners of any county of the State, or the mayor and city council of Baltimore, as the case may be, shall pay over to the State board of health all judgments, cost and interest which they may collect by virtue of the powers conferred by this act, and the State board of health of Maryland, upon payment to it of any judgment, interest and costs shall pay said costs to the justice of the peace or other court of record, as the case may be, and such judgment, interest and costs shall be entered "satisfied".

106 G. All judgments and interest on the same paid to the State board of health by virtue of this act, shall be paid to the State treasurer for the use of the State.

106 H. Any owner of property, or any occupant of property, when the owner can not be found, upon whom any order of the State board of health shall be served by virtue of the powers, conferred under this act, who shall fail or neglect to abate the nuisance in the manner and within the time required by the order of the State board of health, shall in addition to the other obligation imposed upon him hereunder, be

deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$50 for each offense.

106 I. Any person who shall interfere with the State board of health, its officers and agents, in the abatement of any nuisance, as provided for in this act, or shall in any manner attempt to prevent said board, its officers or agents, from doing any work necessary for the abatement of said nuisance, or shall refuse entrance to any premises by the State board of health, its officers or agents, shall, in addition to any other obligation imposed upon him hereunder, be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$5 nor more than \$100, or be subject to imprisonment for not more than 30 days, or both in the discretion of the court.

MASSACHUSETTS.

Communicable Diseases—Notification of Cases of Certain Diseases on Premises where Milk is Handled for Sale or when Caused by Infected Milk. (Reg. Dept. of H., Apr. 3, 1917.)

That beginning May 1, 1917, it shall be the duty of the officers in charge of any city or State institution, charitable institution, public or private hospital, dispensary or lying-in hospital, or any local board of health in any city or town to give immediate notice (preferably by telephone or telegram, "collect") to the State department of health, State House, Boston, or to the State health officer of the district, in every case coming to their notice in which typhoid fever, dysentery, diphtheria, scarlet fever or tonsillitis has occurred in the household of any person engaged in the production, transportation or distribution of milk for public sale; and in every case coming to their notice in which typhoid fever, dysentery, diphtheria, scarlet fever or tonsillitis has been due, or presumably has been due, to the consumption of milk infected with material derived from persons infected with said diseases.

Lobar Pneumonia—Made Notifiable. (Reg. Dept. of H., Apr. 3, 1917.)

[Lobar pneumonia was added to the list of notifiable diseases.]

Venereal Diseases—Made Notifiable—List of Notifiable Diseases. (Reg. Dept. of H., Dec. 18, 1917.)

[Gonorrhea and syphilis were added to the list of notifiable diseases. The list reads as follows:]

Actinomycosis.	Leprosy.
Anterior poliomyelitis.	Malaria.
Anthrax.	Measles.
Asiatic cholera.	Mumps.
Chicken pox.	Pellagra.
Diphtheria.	Plague.
Dog-bite (requiring antirabic treatment).	Pneumonia (lobar only).
Dysentery:	Rabies.
(a) Amebic.	Scarlet fever.
(b) Bacillary.	Septic sore throat.
Epidemic cerebrospinal meningitis.	Smallpox.
German measles.	Syphilis.
Glanders.	Tetanus.
Gonorrhea.	Trichinosis.
Hookworm disease.	Tuberculosis (all forms).
Infectious diseases of the eye:	Typhoid fever.
(a) Ophthalmia neonatorum.	Typhus fever.
(b) Suppurative conjunctivitis.	Whooping cough.
(c) Trachoma.	Yellow fever.

Venereal Diseases—Notification of Cases—Advice to Patients. (Reg. Dept. of H., Dec. 18, 1917.)

1. Gonorrhea and syphilis are declared diseases dangerous to the public health and shall be reported in the manner provided by these regulations promulgated under the authority of chapter 670,¹ acts of 1913.

2. Gonorrhea and syphilis are to be reported (in the manner provided by these regulations) on and after February, 1, 1918.

¹ Pub. Health Repts. Reprint 264, p. 221.

3. At the time of the first visit or consultation the physician shall furnish to each person examined or treated by him a numbered circular of information and advice concerning the disease in question, furnished by the State department of health for that purpose.

4. The physician shall at the same time fill out the numbered report blank attached to the circular of advice, and forthwith mail the same to the State department of health. On this blank he shall report the following facts:

Name of the disease.

Age.

Sex.

Color.

Marital condition and occupation of the patient.

Previous duration of disease and degree of infectiousness.

The report shall not contain name or address of patient.

5. Whenever a person suffering from gonorrhea or syphilis in an infective stage applies to a physician for advice or treatment, the physician shall ascertain from the person in question whether or not such person has previously consulted with or been treated by any other physician within the Commonwealth. If not, the physician shall give and explain to the patient the numbered circular of advice, as provided in the previous regulation.

If the patient has consulted with or been treated by another physician within the Commonwealth and has received the numbered circular of advice, the physician last consulted shall not report the case to the State department of health, but shall ask the patient to give him the name and address of the physician last previously treating said patient.

6. In case the person seeking treatment for gonorrhea or syphilis gives the name and address of the physician last previously consulted, the physician then being consulted shall notify immediately by mail the physician last previously consulted of the patient's change of medical adviser.

7. Whenever any person suffering from gonorrhea or syphilis in an infective stage shall fail to return to the physician treating such person for a period of six weeks later than the time last appointed by the physician for such consultation or treatment, and the physician also fails to receive a notification of change of medical advisers as provided in the previous section, the physician shall then notify the State department of health, giving name, address of patient, name of the disease and serial number, date of report and name of physician originally reporting the case by said serial number, if known.

8. Upon receipt of a report giving name and address of a person suffering from gonorrhea or syphilis in an infective stage, as provided in the previous section, the State department of health will report name and address of the person as a person suffering from a disease dangerous to the public health, and presumably not under proper medical advice and care sufficient to protect others from infection, to the board of health of the city or town of patient's residence or last known address. The State department of health shall not divulge the name of the physician making said report.

Tuberculosis—Hospital Care by Counties of Certain Tuberculosis Patients. (Ch. 251, Act May 14, 1917.)

SECTION 1. Section 2 of chapter 286² of the General Acts of the year 1916 is hereby amended by striking out the words, "before January first of the year 1917," in the first and second lines, and inserting in place thereof the words:—before April first of the year 1918—so as to read as follows:

SEC. 2. A contract entered into before April first of the year 1918 for a term of years not less than 5 nor more than 25, and approved by the State department of health

² Pub. Health Repts. Reprint 406, p. 122.

after a petition made to the said department and a public hearing thereon, between (a) boards of county commissioners of two adjoining counties, or (b) boards of county commissioners of any county and the legally constituted authorities of any city within the same county, or (c) either county commissioners or the legally constituted authorities of cities of 50,000 or more inhabitants and the trustees or authorities of any existing or future privately endowed tuberculosis institution, or the trustees of any fund available for the purpose of supplying hospital facilities for persons suffering from consumption, for the express purpose of supplying, within a reasonable time as provided in the conditions of approval of the State department of health, and guaranteeing adequate hospital provision for consumptives coming under the provisions of this act, shall be held to be satisfactory compliance with the provisions of this act for such counties, sections of counties, or for such cities or classes of individuals, as the case may be, as are designated in the contract; and such contracts shall, subject to the approval of the State department of health, be renewable upon such terms as shall be satisfactory to the contracting parties: *Provided, however,* That if such contracts are not renewed and approved by the State department of health at least nine months before their expiration, or if the contracts are renewed and the State department of health shall refuse approval on the ground that by reason of changed circumstances the contract will be inadequate properly to protect the public health of the communities affected by it, and the contracting parties fail within six months before the time when the previous contract expires to agree to a renewal of the contract upon terms approved by the State department of health, the duties and obligations relative to supplying adequate hospital care for such counties, or sections of counties, cities or classes of individuals imposed upon county commissioners and city governments by this act shall be in full force and effect.

SEC. 2. Section 9 of said chapter 286 is hereby amended by adding at the end thereof the following:

County commissioners of counties whose patients are cared for by contract under the provisions of section 2 are authorized to raise and expend such sums as may be necessary to carry out the provisions thereof, and may borrow the same on the credit of the county and issue therefor notes of the county, payable, in not more than 18 months from their respective dates of issue, from the reimbursements received from the said cities and towns. They shall in January of each year determine the total amount already expended by, or due from, the county under the provisions of such contracts during the previous year, and shall apportion the same to, and may collect the same from, the several cities and towns liable under this act in the same manner as the costs of construction and equipment of hospitals is apportioned under the provisions of section 7, and the same shall be applied to the payment of the temporary debt incurred by said counties under the provisions of this act.

SEC. 3. Section 13 of the said chapter 286 is hereby amended by striking out all after the first sentence, so as to read as follows:

SEC. 13. The situation, plans for construction and actual construction of any new hospitals or additions to any existing hospitals, provided for the purpose of carrying out the provisions of this act, shall be subject to the approval of the State department of health.

Tuberculosis—Subsidies to Cities and Towns. (Ch. 290, Act May 24, 1917.)

SECTION 1. Chapter 597 of the acts of the year 1911, as amended in section 1 by section 1 of chapter 637 of the acts of the year 1912, and by chapter 57 of the General Acts of the year 1916, is hereby further amended by striking out the said section, and inserting in place thereof the following:

SECTION 1. Every city or town which places its patients suffering from tuberculosis in a municipal or incorporated tuberculosis hospital in this Commonwealth, or in a building

or ward set apart for patients suffering from tuberculosis by a municipal or incorporated hospital in this Commonwealth, shall be entitled to receive from the Commonwealth a subsidy of \$5 a week for each patient who is unable to pay for his support, or whose kindred bound by law to maintain him are unable to pay for the same; but a city or town shall not become entitled to this subsidy unless, upon examination authorized by the trustees of hospitals for consumptives, the sputum of such patient be found to contain bacilli of tuberculosis, nor unless the hospital building or ward be approved by said trustees, who shall not give such approval unless they have by authority of law, or by permission of the hospital, full authority to inspect the same at all times. Said trustees may at any time withdraw their approval: *Provided, however, That in the case of those hospitals having a bed capacity which is in excess of the number of beds needed for the localities which these institutions serve for patients exhibiting tubercle bacilli in their sputum, the subsidy above provided shall be allowed for such patients not exhibiting tubercle bacilli in their sputum as in the joint opinion of the superintendent of the institution and of the State district health officer of the district in which the hospital is situated are bona fide cases of consumption and have been in the institution more than 30 days.* The determination of the question of the number of beds in excess of the number of beds needed for patients exhibiting tubercle bacilli in their sputum shall be made as follows: The city board of health shall first file an application for a tuberculosis survey of the localities served by such tuberculosis hospital, stating in the application the reasons for the belief that the hospital is already providing proper care for all cases showing tubercle bacilli and subject to hospital treatment. On receipt of such an application the State department of health and the State trustees of hospitals for consumptives shall cause a careful survey to be made by representatives of both departments.

Following the filing of the report of such survey the public health council of the State department of health and the trustees of hospitals for consumptives, sitting jointly, shall determine and decree the average number of beds needed in such institutions for patients exhibiting tubercle bacilli in their sputum. This number shall be subject to redetermination by a new survey made in a similar manner from time to time thereafter upon application by the city board of health, but such application shall not be made more often than once in three years.

State Department of Health—Powers and Duties. (Ch. 190, Act Apr. 18, 1917.)

SECTION 1. Section 4 of chapter 75 of the Revised Laws, as amended by chapter 480 of the acts of the year 1903, and by chapter 104³ of the acts of the year 1912, is hereby further amended by inserting after the word "inoculation," in the fifteenth line, the words: "diagnosis or treatment," so as to read as follows:

SEC. 4. Said board shall take cognizance of the interests of health and life among the citizens of the Commonwealth, make sanitary investigations and inquiries relative to the causes of disease, and especially of epidemics, the sources of mortality and the effects of localities, employments, conditions and circumstances on the public health, and relative to the sale of drugs and food and the adulterations thereof; and shall gather such information relative thereto as it considers proper for diffusion among the people. It shall advise the government relative to the location and other sanitary conditions of any public institution; and shall have oversight of inland waters, sources of water supply and vaccine institutions, and may, for the use of the people of the Commonwealth, produce and distribute antitoxin and vaccine lymph and such specific material for protective inoculation, diagnosis or treatment against typhoid fever and other diseases as said board may, from time to time, deem it advisable to produce and distribute. It shall annually examine all main outlets of sewers and drainage of cities and towns of the Commonwealth, and the effect of sewage disposal,

³ Pub. Health Repts. Reprint 200, p. 102.

and shall annually report thereon to the general court, with such recommendations for the protection of the interests of persons and property and for the prevention of offensive odors and objectionable conditions as it considers expedient.

District Health Officers—Annual Reports of—Time for Making. (Ch. 151, Act Apr. 5, 1917.)

The district health officers, provided for by section 5 of chapter 792⁴ of the acts of the year 1914, in succession to the State inspectors of health, established by the provisions of chapter 537 of the acts of the year 1907, shall hereafter report to the State department of health on or before the 1st day of December, instead of the 31st day of October, in each year.

Milk—Classification and Grading. (Ch. 256, Act May 14, 1917.)

SECTION 1. A grade of milk to be known as "Grade A, Massachusetts milk," is hereby established.

The said grade shall consist exclusively of milk produced within this commonwealth from healthy cows under cleanly and sanitary conditions, and shall be so cooled and cared for that in its raw state the bacteria count shall not average more than 100,000 per cubic centimeter, upon examination of five samples taken consecutively, each from a different lot of milk, on five separate days.

SEC. 2. "Grade A, Massachusetts milk" shall, when sold, kept or offered for sale or exchange, be designated and marked with a label, cap or tag, in plain, legible, bold-faced type, in the words following: "Grade A, Massachusetts milk." The percentage of milk fat may also be stated upon said label, cap or tag, but in no case shall the amount of fat be less than the Massachusetts legal standard.

SEC. 3. The board of health of any city or town, upon application of any person, firm, association or corporation, desiring to sell or exchange milk therein as "Grade A, Massachusetts milk," shall cause the milk produced or to be sold or exchanged by such applicant to be tested for classification as prescribed by section 2 of this act, and if upon such examination and test the milk so produced or to be sold or exchanged by the applicant is found to comply with the aforesaid requirements of classification of "Grade A, Massachusetts milk," the board of health shall issue without charge to the applicant a written permit to keep for sale, exchange or delivery, or to sell, exchange or deliver in such city or town, milk graded, classified, designated and labelled, as hereinbefore provided, as "Grade A, Massachusetts milk."

Any permit so issued may, at any time, be revoked upon written notice to the holder thereof, by the board of health issuing the same, if milk offered by the holder for sale or exchange as so graded or classified shall not comply with the aforesaid requirements.

SEC. 4. If any grade or classification of milk other than "Grade A, Massachusetts milk" is established permits for the sale of such milk shall be granted and may be revoked in accordance with the provisions of this act in respect to "Grade A, Massachusetts milk," but such permits shall not be granted until the milk to be sold thereunder has been tested in such manner as the board of health, to whom application for the permit is made, shall determine. Milk sold or kept or offered for sale or exchange under such a permit shall be marked with a label, cap or tag in plain, legible, bold-faced type, expressing the name of the grade as it is determined by the board granting the permit.

SEC. 5. Whoever, himself or by his agent, or as the servant or agent of another, sells, exposes for sale or has in his custody or possession with intent to sell milk purporting to be of a grade established hereunder without having a permit so to do shall be subject to the penalty hereinafter provided.

⁴Pub. Health Repts. Reprint 279, p. 81.

SEC. 6. Whoever, himself or by his agent, or as the servant or agent of another, sells, exposes for sale, or has in his custody or possession with intent to sell, milk labelled as to its fat content which upon analyses of three samples taken consecutively, each from a different lot of milk, on three separate days, is found to contain less milk fat than that stated upon the label, cap or tag, and whoever sells, exposes for sale or exchange, or delivers, milk not wholly produced in Massachusetts in containers bearing upon a label, cap, tag, or otherwise, the words "Grade A, Massachusetts milk," or other words indicating that such milk was produced in Massachusetts; and whoever in any manner represents that milk not wholly produced in Massachusetts was wholly produced in Massachusetts, or is of a grade designated as "Grade A, Massachusetts milk," shall, for a first offence, be punished by a fine of not more than \$50; for a second offence by a fine of not less than \$50 nor more than \$100, and for a subsequent offence by a fine of not less than \$100 nor more than \$200.

Milk Standards—Percentage of Solids and Fat Required. (Ch. 189, Act Apr. 16, 1917.)

Section 56 of chapter 56 of the Revised Laws, as amended by chapter 643 of the acts of the year 1908, is hereby further amended by striking out the words "and fifteen hundredths," in the fourth line, so as to read as follows:

SEC. 56. In prosecutions under the provisions of sections 51 to 64, inclusive, milk which, upon analysis, is shown to contain less than 12 per cent of milk solids or less than 3.35 per cent of fat, shall not be considered of good standard quality.

Pasteurized Milk—Definition—Sale. (Ch. 259, Act May 16, 1917.)

SECTION 1. Pasteurized milk is hereby defined to be natural cow's milk not more than 72 hours old when pasteurized, subjected for a period of not less than 30 minutes, to a temperature of not less than 140 degrees nor more than 145 degrees Fahrenheit, and immediately thereafter cooled therefrom to a temperature of 50 degrees Fahrenheit or lower.

SEC. 2. It shall be unlawful to sell, exchange or deliver, or to advertise, represent, or describe, or to offer or expose for sale or to have in possession with intent to sell, as pasteurized milk, milk not pasteurized in conformity with the provisions of this act.

SEC. 3. Any violation of this act shall be punished by a fine of not less than \$10 for a first offence, and of not more than \$100 for any subsequent offence.

SEC. 4. This act shall take effect on the 1st day of January in the year 1918.

Dairy and Live Stock Inspections—Fees for, Prohibited. (Ch. 112, Act Mar. 22, 1917.)

SECTION 1. No fee for making, under authority of law, any inspection or test of live stock, or any inspection of any dairy, barn or stable, for the purpose of protecting the milk supply of any city or town, shall be requested or accepted by any official or other person making or assisting to make such test or inspection.

SEC. 2. Violation of this act shall be punished by a fine not exceeding \$50 for each offence.

Sausage—When Deemed to be Adulterated. (Ch. 78, Act Mar. 15, 1917.)

Section 2 of chapter 634⁸ of the acts of the year 1914 is hereby amended by striking out all after the word "casing", in the first line of the fourth clause, and inserting in place thereof the following: "the organs of the thoracic and abdominal cavities or any part thereof, except hearts, tripe and liver," so that said clause, will read as follows:

Fourth. If it contains, except as casing, the organs of the thoracic and abdominal cavities or any part thereof, except hearts, tripe and liver.

Manufacture of Sausages or Chopped Meat and Egg Breaking or Canning Establishments—Penalty for Conducting, without a License. (Ch. 11, Act Feb. 19, 1917.)

Section 2 of chapter 325⁶ of the acts of the year 1914, as affected by chapter 22⁷ of the general acts of the year 1915, is hereby amended by striking out, in the fourth and fifth lines, the words "fine or imprisonment at the discretion of the court", and inserting in place thereof the following: "a fine of not less than \$10 nor more than \$100, or by imprisonment for not more than three months, or by both such fine and imprisonment," so as to read as follows:

SEC. 2. Whoever carries on an establishment for the manufacture of sausages or chopped meat of any kind, or for the breaking or canning of eggs without a license as provided herein shall be punished by a fine of not less than \$10 nor more than \$100 or by imprisonment for not more than three months, or by both such fine and imprisonment.

Vinegar—Taking of Samples for Analysis. (Ch. 193, Act Apr. 23, 1917.)

SECTION 1. The collection of samples of vinegar, as authorized by the provisions of section 20 of chapter 75 of the Revised Laws, and of chapter 600 of the acts of the year 1911, and all acts in amendment thereof, and in addition thereto, shall be made under the direction and supervision of the State department of health, or by the local boards of health. Samples may be purchased in the open market, and the stencillings, tags, brands or other markings upon the container shall be noted. They shall be divided into substantially two equal parts of at least sufficient volume to permit of a proper analysis as required by law, and there shall be delivered to the owner or other person from whom the vinegar is taken one of the two above mentioned parts properly labeled with identifying marks and sealed with a seal, provided for that purpose, at the time of the taking of the samples and a receipt therefor shall be given to the inspector or collector.

SEC. 2. Whoever makes, causes to be made, uses or has in his possession, an imitation or counterfeit of a seal used by an inspector or other officer engaged in the inspection of vinegar, and whoever changes or tampers with a sample taken or sealed as provided in section 1 of this act, shall be punished by imprisonment for not more than six months, or by fine of not more than \$100, or by both such fine and imprisonment.

Foods and Drugs—Adulteration and Misbranding. (Ch. 208, Act Apr. 30, 1917.)

SECTION 1. It shall be unlawful for any person to manufacture any article of food or drug which is adulterated or misbranded, within the meaning of this act, or which does not comply with the rules and regulations and standards herein provided; and any person who shall violate any provision of this section shall be guilty of a misdemeanor, and shall be punished for each offense by a fine of not less than \$15, nor more than \$500, or by imprisonment for not more than six months.

SEC. 2. Any person who shall, for pay or otherwise, deliver or offer to deliver to any person any such article so adulterated or misbranded within the meaning of this act, or which does not comply with the rules and regulations and standards herein provided, and any person who shall sell or offer for sale such adulterated or misbranded foods or drugs, or any food or drug which does not comply with the rules and regulations and standards herein provided, shall be guilty of a misdemeanor, and shall, in the case of misbranding, be punished by a fine of not more than \$200, and in the case of adulteration by a fine of not less than \$25, nor more than \$200: *Provided*, That no article shall be deemed misbranded or adulterated within the provisions of this act if it be intended for export to any foreign country and is prepared or packed according to the specifications or directions of the foreign purchaser: *Provided*, That no

⁶ Pub. Health Repts. Reprint 279, p. 86.

⁷ Pub. Health Repts. Reprint 338, p. 276.

substance is used in the preparation or packing thereof in violation of the laws of the foreign country to which the article is intended to be shipped; but if the article shall be in fact sold or offered for sale for domestic use or consumption then this proviso shall not exempt it from the provisions of this act.

SEC. 3. The State department of health, and also the boards of health of the several cities and towns, shall enforce the provisions of this act. Except as to standards that have already been or may hereafter be fixed by statute, the State department of health shall adopt rules and regulations not inconsistent with the provisions of this act, standards and tolerances and definitions of purity or quality, conforming to the rules and regulations, standards and tolerances or definitions of purity or quality adopted or that may hereafter be adopted for the enforcement of the act of Congress approved June 30, 1906, and the amendments thereof, the said act being entitled "An act for preventing the manufacture, sale or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein and for other purposes", or now or hereafter adopted by the United States Department of Agriculture under any other Federal law.

SEC. 4. The collection of samples under this act may be made by authorized agents of the State department of health or local boards of health. Samples may be purchased in the open market, and if in bulk and the sample is taken from the original package, carton, wrapper, or other container in the presence of the authorized agent, the marks, brands or tags upon the package, carton, wrapper or other container, and the accompanying printed or written matter shall be noted by the collector. The collector shall also note the name of the vendor by whom the sale was made, together with the date of the purchase. Samples shall, if practicable, be collected in duplicate, or divided into two substantially equal parts, and each part shall be labelled with identifying marks. One of the parts shall be delivered to the person from whom the samples were taken, or if a guaranty has been given, as hereinafter provided, such part shall be sent to the guarantor. One of the parts shall be sent to the laboratory of the department or board taking the sample, if said board maintains a laboratory. The parts of the samples so divided shall be sealed by the collector, at the time of the taking of the samples, as provided by the regulations of the State department of health, with a seal provided for that purpose. Whenever it is impracticable to collect more than one sample, or to divide the same, it shall be sent to the laboratory of the department or board taking the sample, if said board maintains a laboratory.

SEC. 5. The examination of samples of food and drugs shall be made under the direction and supervision of the department or board taking such samples for the purpose of determining from such examination whether such articles are adulterated or misbranded within the meaning of this act; and if it shall appear from such examination that any of the samples are adulterated or misbranded within the meaning of this act, the commissioner of health or local board of health shall not be required to cause formal complaint to be entered at once, but shall in the case of misbranding, and may, in the case of adulteration, cause reasonable notice thereof, together with a copy of the findings, to be given to the party or parties from whom the sample was obtained, and to the guarantor, if any, and to the party, if any, whose name appears upon the label as manufacturer, packer, producer, wholesaler, retailer, or other dealer. Before any formal complaint is entered any person so notified shall be given an opportunity to be heard before any person designated by the commissioner of health or local board taking the sample under such rules and regulations as the State department of health may prescribe. The notice shall specify the date, hour and place of hearing, and the parties interested therein may appear in person or by attorney. If it is decided that the party whose name appears upon the label, or the guarantor, shall be notified, and such party or guarantor resides without the State, the notice shall be sent by mail to such address as may, with due diligence, be obtained. If after such opportunity to be heard it appears that any provision of this act has been violated, the department

of health or local board of health may make, or authorize formal complaint to be made, to a court or justice having jurisdiction in such cases, but no evidence of the result of such analysis or test shall be received if the collector has refused or neglected to seal and deliver the samples as provided in section 4 of this act.

SEC. 6. The term "drug," as used in this act, shall include all medicines and preparations recognized in the United States Pharmacopœia or National Formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation or prevention of disease of either man or other animals. The term "food," as used herein, shall include all articles used for food, drink, confectionery, or condiment by men or other animals, whether simple, mixed or compound.

SEC. 7. For the purposes of this act an article shall be deemed to be adulterated:

In case of drugs:

First. If, when a drug is sold under or by a name recognized in the United States Pharmacopœia or National Formulary, it differs from the standards of strength, quality, or purity, as determined by the test, if any, laid down in the United States Pharmacopœia or National Formulary official at the time of investigation: *Provided*, That no drug defined in the United States Pharmacopœia or National Formulary, shall be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated upon the bottle, box or other container thereof delivered to the customer although the standard may differ from that determined by the test, if any, laid down in the United States Pharmacopœia or National Formulary.

Second. If its strength or purity fall below the professed standard or quality under which it is sold.

In the case of confectionery:

If it contain terra alba, barytes, talc, chrome yellow or other mineral substance or poisonous color or flavor, or other ingredient deleterious or detrimental to health, or any vinous, malt or spirituous liquor or compound or narcotic drug.

In the case of food:

First. If any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

Second. If any substance has been substituted wholly or in part for the article.

Third. If any valuable constituent of the article has been wholly or in part abstracted.

Fourth. If it be mixed, colored, powdered, coated or stained in a manner whereby damage or inferiority is concealed.

Fifth. If it contain any added poisonous or other added deleterious ingredient which may render such article injurious to health: *Provided*, That when in the preparation of food products for shipment they are preserved by any external application applied in such manner that the preservative is necessarily removed mechanically, or by maceration in water, or otherwise, and directions for the removal of said preservative are printed on the covering of the package, the provisions of this act shall be construed as applying only when said products are ready for consumption.

Sixth. If it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal, which is unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter.

SEC. 8. The term "misbranded" as used herein shall apply to all drugs, or articles of food, or articles which enter into the composition of food, the package or label of which shall bear any statement, design or device regarding such article, or the ingredients or substance contained therein which is false or misleading in any particular, and to any food or drug product which is falsely branded as to the State, territory, or country in which it is manufactured or produced.

For the purposes of this act an article shall also be deemed to be misbranded:

In the case of drugs:

First. If it be an imitation of, or offered for sale under, the name of another article.

Second. If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package fails to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, codeine, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any such substances contained therein.

Third. If its package or label shall bear or contain any statement, design or device regarding the curative or therapeutic effect of such article, or of any of the ingredients or substances contained therein, which is false and fraudulent.

In the case of food:

First. If it be an imitation of, or offered for sale under, the distinctive name of another article.

Second. If it be labelled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part, and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any morphine, opium, codeine, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any of such substances contained therein. Nothing in this paragraph shall apply to the repacking of highly perishable foodstuffs, such as fresh fruit, fresh vegetables, or eggs.

Third. If the package containing it or its label shall bear any statement, design or device regarding the ingredients or the substances contained therein, which statement, design or device shall be false or misleading in any particular: *Provided*, That an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases:

First. In the case of articles which are mixtures or compounds which may be now or from time to time hereafter known as articles of food, under their own distinctive names and not an imitation of, or offered for sale under, the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where said article was manufactured or produced.

Second. In the case of articles labelled, branded, or tagged so as to indicate plainly that they are compounds, imitations, or blends, and the word "compound," "imitation," or "blend," as the case may be, is plainly stated on the package in which it is offered for sale: *Provided*, That the term "blend" as used herein shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purposes of coloring and flavoring only: *And, provided, further*, That nothing in this act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredient to disclose their trade formulas, except in so far as the provisions of this act may require in order to secure freedom from adulteration or misbranding.

SEC. 9. Except as provided in the following section, no dealer shall be prosecuted under the provisions of this act for selling or offering for sale any article of food or drug in the original unbroken package in which it was received by him: *Provided*, That he can establish a guaranty by the wholesaler, jobber, manufacturer, or other person residing in the United States, from whom he purchased the article, to the effect that the same is not adulterated or misbranded within the meaning of the laws of this Commonwealth. Such guaranty, to afford protection, shall contain the name and address of the person making the sale of the article to the dealer, and in that case such person shall be amenable to the prosecutions, fines, and other penalties which would attach in due course to the dealer under the provisions of this act. If it shall appear

that any provision of this act has been violated, and the party or parties giving said guaranty are without this Commonwealth, no action shall be brought except as is provided herein, but the State department of health or the board taking the sample shall present the facts to the proper national authorities for their action.

Under the authority given by section 3 of this act the State department of health shall adopt rules and regulations which shall be observed by the said department and by local boards of health in ascertaining whether there is such a guaranty which may be relied upon by the dealer.

SEC. 10. After a sample of an article of food or drug which is adulterated or misbranded within the meaning of this act has been taken from a person who can establish a guaranty, as provided in the preceding section, and the guarantor resides without the Commonwealth, the dealer may nevertheless be prosecuted for a subsequent sale of such adulterated or misbranded article: *Provided*, That the State department or local board which took the sample has presented the facts to the proper national authorities for their action, that the person from whom the sample was taken has been notified by the State department or local board which took the sample that the facts have so been presented, and that such person continues to sell such articles after he has been notified by the State department or local board as to the particulars of the adulteration or misbranding and warned to desist from further sales or distribution of the article. Upon conviction in any such case the penalties provided in section 2 of this act may be imposed.

In the case of adulteration, however, if the State department of health or a local board of health in a city having a population exceeding 100,000, finds that the sample when analyzed is plainly a gross violation of the provisions of this act, or that the article is distinctly injurious to the health of the community, even though the case has not as yet been adjudicated, the department may cause notice of these facts to be published in its monthly bulletin and in such other ways as may be established by rules and regulations of the department: *Provided*, That the guarantor has been notified, and has been afforded an opportunity to be heard as provided in section 5. The said notice shall contain a warning to all dealers to desist from further sales or distribution of such articles. Any person who sells such articles after the said notice and warning shall be amenable, for each subsequent sale, to the penalties provided in section 2 of this act.

SEC. 11. The word "person," as used in this act, shall be construed to import both the plural and the singular as the case demands, and shall include corporations, companies, societies and associations. When construing and enforcing the provisions of this act, the act, omission or failure of any officer, agent, or other individual acting for or employed by any individual, corporation, company, society or association within the scope of his employment or office, shall in every case be also deemed to be the act, omission or failure of such corporation, company, society or association as well as that of the individual.

SEC. 12. Section 16 of chapter 75 of the Revised Laws, as amended by chapter 367 of the acts of the year 1903, section 17 of said chapter 75 of the Revised Laws, section 18 of said chapter 75 of the Revised Laws, as amended by section 1 of chapter 528 of the acts of the year 1910, and by chapter 272^s of the acts of the year 1913, sections 19 and 21 of said chapter 75 of the Revised Laws, chapter 416 of the acts of the year 1910, and chapter 289 of the acts of the year 1911 are hereby repealed, and the provisions of this act shall, so far as consistent with said sections and chapters hereby repealed, be construed as substituted therefor and as continuations thereof.

SEC. 13. Nothing in this act shall be construed to nullify or affect any act heretofore passed and not expressly amended or repealed hereby: and in case of any inconsistency between a prior act not amended or repealed hereby and this act, the provisions of such prior act shall govern.

SEC. 14. This act shall take effect one year after the date of its passage.

Habit-Forming Drugs—Sale and Dispensing—Sale and Possession of Hypodermic Instruments. (Ch. 275, Act May 23, 1917.)

SECTION 1. Except as otherwise provided in sections 2 and 3 hereof it shall be unlawful for any person, firm or corporation to sell, furnish, give away or deliver coca leaves or any cocaine or any alpha or beta eucaïne or any synthetic substitute therefor, or any salts, compound or derivative thereof, except decocainized coca leaves and preparations thereof, or any opium, morphine, heroin, codeine or any preparation thereof, or any salt, compound or derivative of the same, except upon the written order of a manufacturer or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, physician, dentist, veterinarian, registered under the laws of the State in which he resides, or an incorporated hospital, college or scientific institution through its superintendent or official in immediate charge, or upon the written prescription of a physician, dentist or veterinarian, registered under the laws of the State in which he resides, bearing his legal signature, the date of the signature, his office address, the registry number given him under public acts 223 of the Sixty-third Congress, approved December 17, 1914, and the name, age and address of the patient for whom it is prescribed. The prescription, when filled, shall show the date of filling and the legal signature of the person filling it written across the face of the prescription, together with the legal signature of the person receiving any such drug and the prescription shall be retained on file by the druggist filling it for a period of at least two years. No prescription shall be filled except in the manner indicated therein, and at the time when it is received, and the full quantity of each substance prescribed shall be given. No order or prescription shall be received for filling or filled more than five days after its date of issue as indicated thereon. Any pharmacist who fills a prescription for a narcotic drug shall securely attach to the container thereof a label giving the name and address of the store in which the prescription is filled, the date of filling, the name of the person for whom it is prescribed, the name of the physician, dentist, or veterinarian who issued it; and the narcotic drug so delivered shall always be kept in its container until actually used.

The prescription shall not again be filled, nor shall a copy of the same be made, except for the purpose of record by the druggist filling the same, and it shall at all times be open to inspection by the officers of the State department of health, the board of registration in pharmacy, the board of registration in medicine and the authorized agents of said departments and boards, and by the police authorities and police officers of cities and towns: *Provided, however,* That the provisions of this act shall not apply to prescriptions, nor to the sale, distribution, giving away or dispensing or possession, of preparations or remedies, if such prescriptions, preparations and remedies do not contain more than two grains of opium or more than one quarter of a grain of morphine, or more than one eighth of a grain of heroin or more than one grain of codeine, or any salt, compound or derivative of any of them in 1 fluid ounce, or, if a solid or semisolid preparation, in the avoirdupois ounce; nor to linaments, ointments or other preparations which are prepared for external use only, except liniments, ointments and other preparations which contain cocaine or any of its salts or alpha or beta eucaïne or any of their salts or derivatives, or any synthetic substitute for them: *Provided,* That such preparations, remedies or prescriptions are sold, distributed, given away or dispensed or held in possession in good faith as medicines and not for the purpose of evading the provisions of this act: *And provided further,* That the possession of any of the drugs mentioned in this act, except prescriptions and preparations or remedies especially exempted in this section, by any one not being a manufacturer or jobber of drugs, or wholesale druggist, registered pharmacist, actively engaged in business as such, or a physician, dentist or veterinarian, registered under the laws of the State in which he resides, or superintendent or official in charge of an incorporated hospital, college or scientific institution shall, except as provided in section 8 be presumptive evidence

of an intent to violate the provisions of this act. The provisions of this section shall not apply to persons having in their possession any of the above mentioned articles by virtue of a legal prescription legally issued as provided in this act, and not obtained by any false representation made to the physician, dentist or veterinarian issuing it, or to the pharmacist who filled it, nor shall the provisions of this act apply to decocainized coca leaves or preparations made therefrom or to other preparations of coca leaves which do not contain cocaine.

SEC. 2. It shall be unlawful for any practitioner of veterinary medicine or surgery to prescribe any of the drugs mentioned in section 1 of this act for the use of, or in such manner that it may be used subcutaneously by, a human being, and it shall be unlawful for any physician or dentist, to prescribe, dispense, administer, sell, give away, or deliver, any narcotic drug to any person except when the drug is obviously and in good faith then and there needed for the treatment and cure of a disease or ailment, and not for any condition or disease directly due to any drug habit or resulting solely from the failure of an habitual user of narcotic drugs to procure the particular narcotic drug or drugs to which he is addicted.

SEC. 3. It shall not be unlawful for a physician personally to administer any narcotic drug at such time and under such circumstances as he, in good faith and in the legitimate practice of medicine, believes to be necessary for the alleviation of pain and suffering or for the treatment or alleviation of disease.

SEC. 4. Any manufacturer or jobber of drugs, any wholesale druggist, any registered pharmacist actively engaged in business as such, and any physician, dentist or veterinarian registered under the laws of the State in which he resides may sell coca leaves, cocaine or any alpha or beta eucaine or any synthetic substitute for them or any preparation containing the same, or any salts, compound or derivative thereof, or any opium, morphine, codeine, heroin or any preparation thereof, or any salt or compound or derivative of such substances, to any manufacturer or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, or physician, dentist or veterinarian registered under the laws of the State in which he resides, or to any incorporated hospital, college or scientific institution, but such substances or preparations, excepting such preparations as are included within the exemptions set forth in section 1, shall be sold only upon the written order of an incorporated hospital, college or scientific institution, duly signed by its superintendent or official in immediate charge, or upon a written order duly signed by such manufacturer or jobber in drugs, wholesale druggist, registered pharmacist actively engaged in business as such, or physician, dentist or veterinarian registered under the laws of the State in which he resides, and the order shall state the article or articles ordered, the quantity ordered and the date. The said orders shall be kept on file in the laboratory, warehouse, pharmacy or store in which they are filled by the proprietor thereof or his successors for a period of not less than two years after the date of delivery, and shall be at all times open to inspection by the State department of health, the board of registration in pharmacy, the board of registration in medicine and the authorized agents of said department and boards, and by the police authorities and police officers of cities and towns.

SEC. 5. Any manufacturer or jobber in drugs and any wholesale druggist, any registered pharmacist actively engaged in business as such, any physician, dentist or veterinarian registered under the laws of the State in which he resides, and any incorporated hospital, college or scientific institution through its superintendent or official in immediate charge that shall give an order for any of the aforesaid drugs in accordance herewith shall preserve a duplicate thereof for a period of two years after the date of giving the same, which shall at all times be open to inspection by the State department of health, members of the board of registration in pharmacy, the board of registration in medicine and the authorized agents of said department and boards, and by the police authorities and police officers of cities and towns.

The order now or hereafter required by the regulations of the commissioner of internal revenue under and by virtue of said public act number 223 of the Sixty-third Congress, shall be deemed to be a sufficient order to comply with this and the preceding section.

SEC. 6. Any person who, for the purpose of evading or assisting in the evasion of any provision of this act shall falsely represent that he is a physician, dentist or veterinarian, or that he is a manufacturer or jobber in drugs or wholesale druggist or pharmacist actively engaged in business as such, or that he is superintendent or official in immediate charge of an incorporated hospital, college or scientific institution, or a person registered under said public act 223 of the Sixty-third Congress, or who, not being an authorized physician, dentist or veterinarian, makes or alters a prescription or written order for any of the narcotic drugs above mentioned, or knowingly issues or utters a prescription or written order falsely made or altered, or whoever makes any false representation or statement as to his name, age, address, or any other matter, either in writing or orally, to any physician, dentist, pharmacist, or veterinarian for the purpose of procuring a prescription for, or the delivery of, a narcotic drug, shall be deemed guilty of a violation of this act. A prescription or order that is altered, or is obtained by a false representation shall be void and of no effect.

SEC. 7. The possession of a Federal certificate issued under and by virtue of said public act number 223 of the Sixty-third Congress, by any person shall be prima facie evidence of an intent to sell, furnish, give away or deliver any of the drugs mentioned in this act.

SEC. 8. Nothing in this act shall apply to common carriers engaged in transporting the aforesaid drugs or to any employee, acting within the scope of his employment, of any person who shall lawfully be in possession, for the purpose of delivery, of any of the drugs mentioned in this act, or to any person who shall deliver any such drug, which has been prescribed or dispensed by a physician, dentist or veterinarian registered under the laws of the State in which he resides, who has been employed to prescribe for the particular patient receiving such drug, or to a nurse under the supervision of a physician, dentist or veterinarian having possession or control by virtue of his employment or occupation and not on his own account, or to the possession of any of the aforesaid drugs which have been prescribed in good faith by a physician, dentist or veterinarian, or to any United States, State, county, municipal, district, territorial or insular officer or official who has possession of any of said drugs by reason of his official duties, or who, as an officer or duly appointed agent of any incorporated society for the suppression of vice, has the same in his possession for the purpose of assisting in the prosecution of violations of this act.

SEC. 9. The provisions of this act, except those sections which require the ordering of the above mentioned drugs on an official order blank and the keeping of the same on file, and the keeping of the record relative thereto, shall apply to cannabis indica and cannabis sativa, except that the same shall not apply to prescriptions, preparations or remedies which do not contain more than one-half grain of extract of cannabis indica or more than one-half grain of extract of cannabis sativa in one fluid ounce, or, if a solid or semisolid preparation in the avoirdupois ounce, nor to liniments, ointments or other preparations containing cannabis indica and cannabis sativa, which are prepared for external use only.

SEC. 10. A manufacturer or jobber in drugs or wholesale druggist or registered pharmacist shall not be liable to prosecution if he fills any prescription or written order for a narcotic drug in good faith, unless he knows or has reasonable cause to suspect that the prescription or order was issued in violation of the provisions of this act, in which event any sale or delivery of a narcotic drug so made shall constitute an unlawful sale and delivery of a narcotic drug under this act.

SEC. 11. No physician, dentist, or veterinarian, and no druggist or pharmacist, either wholesale or retail, shall solicit by public advertisement or otherwise appli-

cation to him for prescriptions for, or sales of, narcotic drugs, or shall publicly advertise any treatment the principal element of which consists in the administering, dispensing, furnishing, giving away or delivering of a narcotic drug, except, however, that wholesale druggists or manufacturing pharmacists may advertise in journals and publications intended for circulation among the medical profession and drug trade generally.

SEC. 12. All buildings, places or tenements which are resorted to by habitual users of narcotic drugs for the purpose of using such drugs, or which are used for the illegal keeping or sale of the same, shall be deemed common nuisances. Whoever keeps or maintains such a common nuisance shall be punished by a fine of not more than \$100, or by imprisonment for not more than one year.

SEC. 13. Whoever, not being a manufacturer or jobber of drugs, wholesale druggist, registered pharmacist, registered physician, registered veterinarian, registered dentist, nurse, acting under the direction of a physician, or an employee of an incorporated hospital acting under the direction of its superintendent or official in immediate charge, or a common carrier or messenger when transporting any drug mentioned herein between parties hereinbefore mentioned in the same package in which the drug was delivered to him for transportation, is found in possession thereof, except by reason of a physician's prescription lawfully and properly issued shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than three years in the house of correction.

SEC. 14. Whoever shall have in his possession a narcotic drug with intent unlawfully to sell and deliver such drug, or any part thereof, or whoever unlawfully sells, furnishes, gives away or delivers any narcotic drug in violation of the provisions of this act, shall be punished by imprisonment in the State prison for not more than three years, or in a jail or house of correction for not more than two years, or by a fine not exceeding \$2,000.

SEC. 15. It shall be unlawful for any person, not being a physician, dentist or a veterinarian, registered under the laws of this State or under the laws of the State in which he resides, wholesale druggist, manufacturing pharmacist, registered pharmacist, manufacturer of surgical instruments or any official of any government, having possession thereof by reason of his official duties, or a nurse, acting under the direction of a physician, or the employee of an incorporated hospital, acting under the directions of its superintendent or officer in immediate charge, or a carrier or messenger engaged in the transportation thereof, to have in his possession a hypodermic syringe, a hypodermic needle, or any instrument adapted for the use of narcotic drugs by subcutaneous injection. No such syringe, needle, or instrument shall be delivered or sold except to a registered pharmacist, physician, dentist, veterinarian, wholesale druggist, manufacturing pharmacist, a nurse upon the written order of a physician, or to an employee of an incorporated hospital upon the written order of its superintendent or officer in immediate charge. A record shall be kept by the person selling such instruments which shall give the date of the sale, the name and address of the person purchasing the same, and a description of the instrument. This record shall at all times be open to inspection by the State department of health, the boards of registration in medicine, dentistry, veterinary medicine, and pharmacy, by the authorized agents of said department and boards, and by the police authorities and police officers of cities and towns. Any violation of this section shall be punishable by a fine of not more than \$100, or by imprisonment in the jail or house of correction for not more than six months, or by both such fine and imprisonment.

SEC. 16 In a prosecution under this act for unlawfully prescribing, selling, furnishing, giving away, or delivering a narcotic drug in violation of any provision of this act, it shall be sufficient to allege that the defendant did unlawfully prescribe, sell, furnish, give away, or deliver, as the case may be, the alleged narcotic drug, without any further allegations, and without expressly negating the different exceptions of the act,

and without naming the person for whom said prescription was issued, or the amount or quantity of the drug, or the person to whom such sale, furnishing, giving away or delivery was made; but the defendant shall be entitled to a bill of particulars under the provisions of section 39 of chapter 218 of the Revised Laws.

SEC. 17. The defendant in a prosecution under this act who relies for his defence and justification upon a prescription, written order, registration, appointment, or authority, as an excuse under this act, shall prove the same; and, until he has proved it, the presumption shall be that he is not so justified or authorized.

SEC. 18. The forms hereto annexed shall apply as well to complaints as to indictments, and such forms shall be sufficient in cases to which they are applicable. In other cases, forms as nearly like the forms hereto annexed as the nature of the case and the provisions of law will allow may be used; but any other form of indictment or complaint which is authorized by law may be used.

FORMS AND SCHEDULES OF PLEADING.

Common nuisance.—That A. B., during the three months next before the finding of this indictment, at said [Boston], did keep and maintain a certain tenement resorted to by habitual users of narcotic drugs for the purpose of using narcotic drugs.

Unlawful possession.—That A. B. did have in his possession unlawfully certain narcotic drugs, to wit, morphine (cocaine, heroin, or the name of drug as it is commonly known).

Unlawful possession with intent to sell.—That A. B. did have in his possession with intent unlawfully to sell and deliver a certain narcotic drug (naming the drug).

Conspiracy.—That A. B. and C. D. conspired together to engage in unlawful traffic in narcotic drugs.

Sale and delivery.—That A. B. did unlawfully sell (or give away, or deliver) a narcotic drug, to wit, morphine (or name drug is commonly known by).

Unlawful prescribing and delivery, etc., by physician, etc.—That A. B., a physician (or pharmacist, dentist or veterinarian, etc.), did unlawfully prescribe (or sell, give away, furnish or deliver) a certain narcotic drug, to wit, (naming it).

Possession of hypodermic instrument.—That A. B. did have in his possession unlawfully a hypodermic syringe and needle.

Sale and delivery of hypodermic instrument.—That A. B. did unlawfully sell (or deliver) a hypodermic syringe (or needle).

False making of prescription.—That A. B. did falsely make (or alter) a prescription for a narcotic drug.

Uttering a false prescription.—That A. B. did utter and publish as true a certain false prescription for a narcotic drug, well knowing the same to be falsely made (or altered).

Misrepresentation.—That A. B. did falsely represent to C. D. (a physician, dentist, veterinarian, pharmacist, etc.) for the purpose of obtaining a narcotic drug that (state the substance of the statements claimed to be representations).

SEC. 19. *Definitions.*—Terms used in this chapter shall be construed as follows, unless a different meaning is clearly apparent from the language or context, or unless such construction is inconsistent with the manifest intention of the legislature:—

“Narcotic drug” shall mean cannabis indica, coca leaves, or any cocaine, or any alpha, or beta, eucaine, or any synthetic substitute for them, or any salts, compound or derivative thereof, except decocainized coca leaves and preparations thereof, or any opium, morphine, heroin, codeine, or any preparation thereof, or any salt, compound or derivative of the same.

“Physician,” “practitioner of medicine,” “veterinarian,” “veterinary surgeon,” “dentist” shall mean persons duly registered and authorized to practice medicine, veterinary medicine, surgery, and dentistry.

"Druggist," "apothecary" or "pharmacist" shall mean a person duly registered under chapter 76 of the Revised Laws, and actively engaged as a practitioner, or employee, in an established and fixed place of business for the sale, compounding and dispensing of drugs.

"Persons" as used herein shall include all corporations, associations, partnerships, or other aggregations of individuals, including also their agents, clerks and salesmen.

"Opium," "morphine," "heroin," "codeine" and "cocaine" as used in statutes or in complaints or indictments shall include any synthetic substitute for such drugs or any salts, compounds, derivatives, or preparations thereof, except decocainized coca leaves and preparations thereof.

SEC. 20. The repeal of any law by this act shall not affect any action, suit or prosecution pending at the time of the repeal for an offense committed, or for the recovery of a penalty, or forfeiture incurred, under any of the laws repealed.

SEC. 21. Any violation of the provisions of this act, the punishment for which is not specified herein, shall be punished by a fine of not more than \$1,000, or by imprisonment in a house of correction or jail for a term not exceeding one year, or by both such fine and imprisonment.

SEC. 22. Section 3 of chapter 372 of the acts of the year 1911, as amended by section 2 of chapter 283⁹ of the acts of the year 1912, and chapter 187¹⁰ of the general acts of the year 1915 are hereby repealed.

Water Supplies Owned by Individuals—State Department of Health Authorized to Make Examinations of, and Advise Regarding. (Ch. 90, Resolve May 14, 1917.)

Resolved, That the State department of health is hereby authorized to make sanitary examination of waters used for domestic purposes and obtained from other than public water supplies, including a chemical and bacterial analysis where that is necessary. The department is also directed to advise as to the situation of new domestic water supplies and the protection of established domestic supplies, owned by individuals, in a manner similar to that now employed in the examination of public water supplies. The department shall report to the next general court on or before the second Wednesday in January the result of its examinations made hereunder, and shall include in the report any recommendations which it may deem expedient for the improvement of domestic water supplies in cities, towns and districts not supplied with water from public works, with an estimate of the probable cost of carrying out such recommendations, and with drafts of any legislation that may be necessary therefor. The department may expend a sum not exceeding \$2,500 in carrying out the provisions of this resolve.

Drainage Investigations—State Department of Health and State Board of Agriculture Authorized to Act Jointly. (Ch. 212, Act May 2, 1917.)

SECTION 1. The State board of agriculture and the state department of health, acting jointly, are hereby authorized to investigate the question of utilizing the wet lands in the Commonwealth, including meadows, swamps, marshes, beaches and other low lands, and to ascertain what lands, if any, in the Commonwealth may advantageously be drained for agricultural and industrial uses, the protection of the public health, the utilization of deposits therein, or for other purposes. Said boards may publish and disseminate facts of general interest ascertained in the conduct of the investigation hereby authorized, and may make and publish surveys of tracts of land in need of drainage, showing their situation, area and outlets, the best methods and the cost of draining them, the uses to which they are best adapted, and such other details as may be deemed advisable. The said boards shall report annually to the legislature their doings hereunder in the preceding year.

⁹ Pub. Health Repts. Reprint 200, p. 111.

¹⁰ Pub. Health Repts. Reprint 338, p. 280.

SEC. 2. In carrying out the provisions of this act the said boards shall seek the cooperation and assistance of the United States Department of Agriculture, and may employ such engineers, assistants, or other agents as may be necessary, who shall have ingress, egress and regress to land which said boards may desire to survey or examine and may expend from the treasury of the Commonwealth for the purposes of this act a sum not exceeding \$2,000.

SEC. 3. Chapter 759 of the acts of the year 1913 and chapter 596 of the acts of the year 1914 are hereby repealed.

SEC. 4. The said boards shall report to the next general court what additions and amendments, if any, should, in its opinion, be made to chapter 195 of the Revised Laws.

Cantonment Health Work—Appropriations. (Ch. 369, Special Act May 25, 1917.)

SECTION 1. The sums hereinafter mentioned are hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the following purposes:

For the protection of health, and the prevention of the spread of disease caused by the mobilization of troops in military camps, a sum not exceeding \$20,000, to be expended by the commissioner of health, with the approval of the governor and council.

For the services and expenses of temporary detectives and police to be appointed by the governor and to act in conjunction with agents of the United States Government in this Commonwealth in preventing the evils incident to the mobilization of troops in military camps, a sum not exceeding \$10,000, to be expended by the governor with the advice and consent of the council.

Commission on Social Insurance—Investigations by. (Ch. 130, Resolve May 25, 1917.)

Resolved, That a special commission to be known as the commission on social insurance, composed of three members of the senate to be appointed by the president, six members of the house of representatives to be appointed by the speaker, and two other members to be appointed by the governor, shall sit during the recess of the general court for the purpose of further investigating the extent to which poverty occasioned by sickness may be alleviated, medical care for wage earners and others of limited means may be provided, and measures to prevent disease may be promoted, by insurance. The commission shall undertake such investigations as to the health of wage earners and the conditions under which they work, and as to existing systems of mutual, stock, fraternal, State, and other forms of insurance in this Commonwealth and elsewhere as may be necessary to provide a sound basis for its recommendations, and shall submit a report, including drafts of any legislation which it may recommend to the next general court, not later than the fifteenth day of January. The State department of health, the bureau of statistics, and the insurance department are hereby directed to cooperate with the commission and to render such assistance as is compatible with the proper discharge of their respective duties. The commission shall have power to elect a chairman, secretary and other officers, to appoint subcommittees, and to employ assistance, clerical, expert or otherwise, as may be necessary. The commission shall have a room in the state house assigned for its use, and shall hold such public hearings as it may deem necessary with the same powers to summon and examine witnesses as are conferred upon city councils and other bodies by the provisions of sections 8 and 9 of chapter 175 of the Revised Laws. The commission shall receive such sums for assistance, travel and other expenses, and for the compensation of its members, as shall be allowed by the governor and council.

MICHIGAN.

Communicable Disease Carriers—Isolation or Quarantine. (Res. Bd. of H., Jan. 12, 1917.)

Resolved, That all persons found to be carriers of the disease germs of diphtheria, typhoid fever, anterior poliomyelitis or any other dangerous communicable disease which may be spread by human carriers be declared by the State board of health a menace to the public health and subject to isolation or quarantine at the hands of all local boards of health and health officers in this State.

Communicable Diseases—Hospitalization—Payment for Medical Services and Necessary Supplies in Indigent Cases. (Act 77, Apr. 17, 1917.)

SECTION. 1. Section 15 of chapter 35 of the Revised Statutes of 1846, relative to the preservation of the public health, quarantine, nuisances, and offensive trades, as amended by act 7 of the public acts of 1903, and act 98 of the public acts of 1909, the same being section 5055 of the compiled laws of 1915, is hereby amended to read as follows:

SEC. 15. When any person coming from outside the county or residing in any township, city or village within this State shall be infected, or shall lately before have been infected with a dangerous communicable disease, the board of health of the township, city or village where such person may be shall make effectual provision in the manner in which it shall judge best for the safety of the inhabitants and it may remove such sick or infected person to a separate house if it can be done without danger to his health, and shall thereupon report such case to the supervisor of the ward, or township, in which such infected person shall be, which supervisor shall provide nurses and other assistance and necessities which shall be at the charge of the person himself, his parents or other persons who may be liable for his support, if able: *Provided*, If such person, his parents or other person who may be liable for his support, be not able to pay for such assistance and necessities, the supervisor shall keep an itemized and separate statement of expenses incurred for each and every person cared for under this section and shall render such statement to the board of supervisors of the county by filing the same with the county clerk. The said board of supervisors shall, as soon as may be, proceed to audit the said bill, and if found that the expenses were necessarily incurred, the services actually and necessarily performed and the amounts claimed for such expenses and services are severally just and reasonable under the circumstances, the said board of supervisors shall allow the same or such parts thereof as the majority of the members-elect of said board shall deem just, and provide for their immediate payment by the said county; and in auditing such accounts said several boards of supervisors shall have full power to examine into the merits of all claims presented to them in accordance with the provisions herein contained, and may subpoena witnesses and take any other measures necessary to arrive at the truth of the same; and the said board of supervisors is hereby empowered, if necessary, to issue orders or borrow money on the faith and credit of the county to pay all such necessary bills and expenses and to include the same in the next appropriation of money to be raised by taxation in said county: *Provided*, The board of supervisors or county board of auditors shall fix the maximum fee and mileage for medical attendance upon contagious diseases chargeable to the county and shall authorize the superintendents of the poor, upon the application of any board of health of a township, city or village, to contract with a physician or physicians to attend contagious diseases.

State Board of Health—Bacteriologist and Assistant Bacteriologists—Appointment, Duties, and Salaries—Appropriation. (Act 247, May 10, 1917.)

SECTION 1. Sections 1 and 5 of act No. 109 of the public acts of 1907, entitled "An act to provide for the appointment of a bacteriologist by the State board of health; to provide for the purchase of the necessary appliances and apparatus for bacteriological examinations and providing an appropriation therefor," being compilers' sections 5001 and 5005 of the compiled laws of 1915, are hereby amended to read as follows:

SECTION 1. The State board of health is hereby authorized and empowered to employ a competent bacteriologist, whose duties shall be such as are or may be defined by law or defined by said board of health and shall be performed in connection with the department of public health. The salary of the person appointed bacteriologist shall be fixed by the said board of health. The State board of health is further authorized and empowered to employ such assistant bacteriologists as may be necessary to perform the work contemplated in this act; the salaries of such assistant bacteriologists shall be fixed by the State board of health.

SEC. 5. There is hereby appropriated annually out of any moneys in the State treasury to the credit of the general fund the sum of \$7,500 for the purpose of carrying out the provisions of this act, which amount shall be paid to the State board of health in the manner now provided by the general accounting laws of this State. The auditor general shall add to and incorporate in the State tax for the year 1917 and every year thereafter, the sum of \$7,500, which, when collected, shall be used to reimburse the general fund in the State treasury for the amount appropriated by this act.

County Tuberculosis Sanatoriums—Tax Levy for—State Aid. (Act 237, May 10, 1917.)

SECTION 1. Section 2 of act No. 139 of the public acts of 1909, entitled "An act relative to the maintenance and construction of hospitals and sanatoria within the counties of this State and to provide a tax to raise moneys therefor," being section 10855 of the compiled laws of 1915, is hereby amended to read as follows, and a new section is hereby added thereto to be known as section 5:

SEC. 2. The tax provided for herein shall be apportioned and collected as other taxes for county purposes. Said tax shall not exceed two-tenths of 1 mill on each dollar of assessed valuation of said county, unless the same shall have been submitted to a vote of the qualified electors of such county.

SEC. 5. Any sanatorium, established under the provisions of this act solely for the treatment of tuberculosis and which shall have expended at least \$10,000 in buildings and equipment, may, upon application to the State board of health, be placed upon the approved list of county sanatoriums, and once entered upon said approved list, may remain listed and be entitled to State aid so long as the scope and character of its work are maintained in such manner as to meet the approval of the State board of health. On the first day of July of each year the secretary of the board of said sanatorium on the approved list, shall report under oath to the State board of health, the character of the work done and the treatment given, the number and names of the persons employed and patients treated and on said date remaining in such sanatorium, the amount contributed by said county or counties for the support of such sanatorium, and such other matters as may be required by the State board of health. Upon the receipt of such report, if it shall appear that the sanatorium has been maintained in a satisfactory manner, the secretary of the State board of health shall make a certificate to that effect, together with the cost of maintenance for the year and the amount actually contributed by each county therefor, and file it with the auditor general. Upon receiving such certificate the auditor general shall draw his warrant payable to

the treasurer of each county contributing toward the maintenance of such sanatorium, for a sum equal to one-half the amount actually contributed by said county for the support of such sanatorium for the preceding year: *Provided*, That the total sum so paid as State aid shall not exceed the sum of \$3,000 for any one sanatorium in any one year. The auditor general shall annually, beginning in the year 1918, include and apportion in the State tax such sums as shall have been so paid.

Joint County Tuberculosis Sanatoriums—Establishment and Maintenance—Employees—State Aid. (Act 343, May 10, 1917.)

SECTION 1. Any two or more counties in this State may cooperate for the establishment and maintenance of a joint county sanatorium for the treatment of tuberculosis in the manner hereinafter provided. It shall be competent for the board of supervisors of any county to appoint a committee to confer with a like committee similarly chosen from any other county, for the purpose of formulating and agreeing upon initial plans for agreeing on a site for a joint county sanatorium and procuring an option or options for such site or sites.

SEC. 2. Whenever it is deemed desirable that a joint sanatorium be established, under the provisions of this act, and after the formulation of initial plans aforesaid, it shall be competent for the board of supervisors of each county concerned to appoint two suitable persons, residents of said county, as members of the board of trustees of such sanatorium. In the first instance one of such trustees shall serve for a period of one year from and after his appointment, and the other trustee shall serve for a term of two years from and after his appointment. Thereafter each trustee appointed in accordance with this act shall hold office for two years and until his successor is appointed and qualifies. Any person appointed as such trustee shall file his acceptance with the county clerk of his county, and shall also take and file with said clerk the constitutional oath of office.

SEC. 3. The trustees of any proposed sanatorium to be established hereunder shall immediately upon their appointment as hereinbefore provided meet and organize by the election of a president, a vice president, a secretary and a treasurer. All the said officers shall be members of the board and their terms as officers shall expire with the expiration of their terms as such members. The initial meeting may be called by any four trustees, on the service of written notice upon the trustees selected in all the counties concerned.

SEC. 4. Said board of trustees shall adopt rules and regulations governing its own procedure, its time and place of regular meetings, the manner of calling special meetings, and such other matters as will enable said board to perform its duties and carry out the purpose of this act.

SEC. 5. At said first meeting, or as soon thereafter as may be, said board of trustees may advertise for, or otherwise procure, plans and specifications for a suitable building or buildings. The board of trustees shall meet with a committee of three appointed by each board of supervisors in counties cooperating. Said committee shall be members of the boards of supervisors and shall serve for one year from and after their appointment or until their successors are elected and qualified. Said committee shall estimate the amount to be expended for such site and sanatorium with the necessary equipment, together with the amount necessary for current expenses of such institution for the first year. Said committees and said board of trustees shall thereupon apportion the aggregate of the amount so required among the various counties concerned in proportion to the valuations of such counties as equalized by the State board of equalization at the preceding equalization thereof. The amount required to be raised by each of said counties together with the total amount so determined shall be certified by them to the several boards of supervisors, at the next session thereof, and they shall order a tax spread for such amount at the regular October meeting; or in its discretion any board of supervisors may borrow a part or all of such

amount and issue the obligations of the county therefor. Any tax hereby authorized shall be spread and collected in the manner provided by the general tax law of the State, and shall be subject to all incidents thereof.

SEC. 6. On or before the first day of September of each subsequent year said board of trustees and committee appointed as aforesaid shall estimate and determine upon the amounts necessary for current expenses and for necessary repairs and maintenance of such sanatorium and shall certify such determination to boards of supervisors who shall apportion the aggregate of such amounts among the various counties in the manner provided in the preceding section. Such apportionment shall be made and the amount to be raised by each county certified to the various boards of supervisors on or before the first day of October of each year; thereupon said boards shall order a tax spread for the portion raised by such county.

SEC. 7. All moneys raised either by taxation or by borrowing under the provisions of this act, shall be, in the first instance, paid into the treasury of the county where raised. The treasurer of said county shall, in case such money is raised by borrowing, immediately transmit the same to the treasurer of the county in which said sanatorium is located; and if said money is raised by taxation, shall transmit the same on or before the 15th of March of each year. The county treasurer receiving such amounts shall deposit them in a special fund to be known as "The general fund of the joint sanatorium of the counties of"

SEC. 8. Money shall be paid out of the fund hereinbefore provided for only for the purposes of this act, and only on the order of the treasurer of the board of the trustees of such sanatorium, countersigned by the secretary. A full and detailed account of all receipts and expenditures shall be kept and a report thereof shall be made to the board of supervisors in each county concerned, at the regular October session thereof. Such report shall be incorporated in the minutes of the board and be published as a part thereof.

SEC. 9. The board of trustees hereby created shall be a body corporate to be known and designated as "The board of trustees of a joint sanatorium of the counties of;" and may sue and be sued by such corporate name. Said board is authorized and empowered to accept donations and bequests, to purchase and hold property in its corporate capacity for the purposes hereof, and to make all contracts that may be necessary for the carrying out of the duties hereby imposed. Said board may enter into necessary undertakings for the construction of a sanatorium subject to the same incidents as are now, or may be, by general law imposed upon public officials and boards of this State or of the various municipalities thereof invested with like powers and charged with like duties.

SEC. 10. Said board shall have general charge and oversight of the sanatorium established hereunder and may make rules and regulations therefor. Said board shall employ a competent person to act as superintendent of such institution, who shall be the principal executive thereof. The board may also employ such other officials, nurses and employees, as may be found necessary and may fix the compensation of all persons appointed or employed hereunder. Such compensation shall be paid out of the fund hereinbefore provided for. No claim against such board of trustees arising out of contractual liability or otherwise shall be deemed to impose any obligation whatsoever on any of the counties contributing to the support of said institution.

SEC. 11. No building shall be erected to be used as a part of such sanatorium for the treatment of tuberculosis patients unless and until the plans and specifications therefor, as adopted by the board of trustees, and said committees, shall have been submitted to, and approved by the State board of health. In all cases where the cost of construction exceeds the sum of \$500 bids shall be advertised for, in accordance with such general rules and regulations as the board of trustees may establish.

SEC. 12. Any sanatorium established hereunder shall be deemed to exist and be maintained for the benefit of the people of the counties contributing to the support thereof. The board of trustees shall make regulations governing the admission and conduct of patients and may exclude any person or persons wilfully violating such regulations. Any indigent person afflicted with tuberculosis, in any of the said counties, may be admitted on the certificate of the superintendents of the poor or county physician, or any of them, of his county, upon such terms as may be determined by the said board of trustees. A person afflicted with tuberculosis who is not in indigent circumstances may be admitted and shall pay to said board of trustees, for the benefit of the institution, such reasonable compensation as shall be agreed on by such persons and such board. If the facilities of the institution will permit, the board of trustees may, in its discretion, accept patients afflicted with tuberculosis who are not residents of any of the counties contributing to the support of the institution, upon such terms as may be deemed proper.

SEC. 13. Said board of trustees shall, as soon as possible, make provision for the care and maintenance of dependent children whose parent or parents are inmates of the institution.

SEC. 14. In the treatment of inmates of such sanatorium no discrimination shall be made against practitioners of any school of medicine or healing recognized by the laws of this State. Each patient so receiving treatment shall have the right to employ, at his own expense, his own physician or practitioner and nurse; and any physician, practitioner or nurse so employed shall be permitted entire freedom with reference to the treatment of the said case, subject however to such reasonable rules and regulations as shall be established by the board of trustees in accordance with the provisions of this act.

SEC. 15. Any vacancy occurring on said board of trustees shall be filled for the remainder of the term by the board of supervisors of the county represented by such trustee. The resignation of any such trustee shall be presented to his board of supervisors for action thereby.

SEC. 16. The said board of trustees may fix the compensation of the superintendent hereinbefore provided for at such reasonable amount, not exceeding \$3,000 per year, as may be deemed proper. No member of said board shall be entitled to any compensation for his services but he may be reimbursed out of the fund of the sanatorium for any expense necessarily and properly incurred by him as a member of said board and in pursuance of his official duties as such. All such claims shall be approved by the board of trustees and paid in the manner hereinbefore provided. No member of such board shall be in any way interested in any contract on behalf of the institution; nor shall he be employed to render services therefor: *Provided*, That nothing in this act contained shall be construed to affect any sanatorium established and maintained by any one county.

SEC. 17. Any sanatorium, established under the provisions of this act, and which shall have expended at least \$10,000 in buildings and equipment, may, upon application to the State board of health, be placed upon the approved list of joint county sanatoriums. A joint county sanatorium, once entered upon said approved list, may remain listed and be entitled to State aid so long as the scope and character of its work are maintained in such manner as to meet the approval of the State board of health. On the first day of July of each year the secretary of the board of each joint county sanatorium on the approved list shall report under oath to the State board of health, the character of the work done and the treatment given, the number and names of the persons employed and patients treated and on said date remaining in such sanatorium, the amount contributed by each county for the support of such sanatorium, and such other matters as may be required by the State board of health. Upon the receipt of such report, if it shall appear that the sanatorium has been maintained in a satisfactory manner, the secretary of the State board of health shall make a certificate to that

effect, together with the cost of maintenance for the year and the amount actually contributed by each county therefor, and file it with the auditor general. Upon receiving such certificate the auditor general shall draw his warrant payable to the treasurer of each county contributing toward the maintenance of such sanatorium, for a sum equal to one-half the amount actually contributed by each county for the support of such sanatorium for the preceding year: *Provided*, That the total sum so paid as State aid shall not exceed the sum of \$3,000 for any one sanatorium in any one year. The auditor general shall annually, beginning in the year 1918, include and apportion in the State tax such sums as shall have been so paid.

Health Districts—Creation—Appointment, Powers, and Duties of Board of Health and Health Officer—Taxes—Regulations. (Act 130, Apr. 25, 1917.)

SECTION 1. Any two or more contiguous townships or villages in any county, or portion of an adjoining county in this State, may unite to form and constitute a health district in the manner hereinafter provided.

SEC. 2. On petition of not less than 15 per cent of the qualified electors of any township or village, the township board, common council or board of trustees, as the case may be, shall submit to the determination of the electors of said township or village the question of uniting with other designated contiguous townships or villages for the purpose of forming a health district subject to the provisions of this act. Such question may be submitted at either a general or specified election in accordance with the statutes of this State pertaining thereto. Said petition shall be filed with the township clerk or the village clerk, as the case may be, and shall be presented to the township board or the village council at the next meeting thereof: *Provided*, That said petition shall be found by the clerk with whom it is filed to be signed by the requisite number of qualified electors. Thereupon it shall be the duty of said township board or trustees to at once examine said petition, and if the same is found to be in accordance with the requirements of this act, to provide for the submission of the question as aforesaid.

SEC. 3. The submission of such question shall in all respects except as herein otherwise provided, be governed by the general election laws of the State and ballots shall be prepared accordingly. It shall be the duty of the township board, common council or the board of trustees to prescribe the form of such ballot by proper resolution. The vote cast on such question shall be cast and counted in the same manner as is provided by law for the casting and counting of votes at general elections, and return thereof shall be made to the county board of canvassers of the county in which said township or village is situated. Such board of canvassers shall proceed to canvass said returns in accordance with the general election law of the State and shall certify the result thereof to the county clerk. If it appears from said certificate that a majority of all the votes cast in each of the townships and villages voting on said proposition and embraced within the district as designated in the initiatory petitions are in favor of the establishment of such district, it shall be the duty of such county clerk to place such certificate before the board of supervisors of the county at the next regular or special session thereof. Said board shall thereupon, by resolution, declare the health district created and shall assign thereto a distinctive number.

SEC. 4. Immediately upon the adoption of the resolution aforesaid, the township board of each township, common council or board of trustees of each village embraced within the health district shall select by ballot a member of the district board of health. The person so appointed shall be notified of such fact by the township or the village clerk. The persons so appointed shall constitute said district board, and the first meeting thereof may be called at a suitable time and place within the district by any two of such members on the serving of written notice upon the other members of the board. Each member of such board shall hold his office for two years and until his

successor is appointed and qualifies. At such first meeting the board shall proceed to organize by the election of a president, who shall be the presiding officer of the board, and a secretary and treasurer. Said board shall adopt rules governing procedure, its time and place of meeting and other matters necessary to the carrying on of the said work of said board. It shall have general care and oversight of the public health of said district and may exercise all powers granted by the general law of the State to boards of health of townships and villages. Authority is also hereby granted to such board to make such regulations and by-laws respecting nuisances, causes of sickness and other matters pertaining to the public health within such health district as may be deemed necessary for the public health and safety, not repugnant to the general laws of this State. Any person violating such regulation or any by-law shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not exceeding \$100, or to imprisonment in the jail not exceeding 90 days, or to both such fine and imprisonment in the discretion of the court.

SEC. 5. Said district board of health shall have power and authority to provide the necessary means to carry out the provisions of this act, and shall employ a competent physician trained in public health work as district health officer, and shall fix the compensation thereof. Such health officer shall have the same powers and perform the same duties, subject to the control and direction of said district board of health, as are or may be prescribed by the general law of the State for health officers in townships. Such health officer shall hold office during the pleasure of said board.

SEC. 6. Prior to the first day of October of each year, said district board of health shall prepare estimates of the amount that will be necessary for the ensuing year for the carrying on of the purposes of this act in said district and shall cause the same to be filed with the township clerk. It shall be the duty of said clerk to place said estimates before the township board of the township at the regular October session of the township board thereof. Said township board shall consider the estimate thus presented and shall direct the raising of such amount in the various townships and villages composing such health district as may be required. The aggregate of such amount shall be proportioned among the various townships and villages comprising said health district in accordance with the assessed valuations thereof and shall be certified, spread and collected in the same manner as provided in the general tax laws of the State for the certifying, spreading and collecting of the State and county tax. When collected, such sum shall be paid into the township treasury and shall be by the township treasurer placed in a special fund to be known and designated as "The general fund of health district number of the county of"

SEC. 7. Money shall be paid out of the fund provided for in the preceding section only for the purpose of this act and by warrant of the secretary and treasurer of the district board of health, countersigned by the president of said board. A full and detailed account of all expenditures shall be made annually by said board and shall be presented to the township board at the same time the estimates hereinbefore provided for are submitted thereto. Such report shall be incorporated in the minutes of the township board and shall be published as a part thereof.

SEC. 8. Any regulation or by-law adopted by said district board of health as hereinabove authorized and provided, shall go into force and effect at such time as said board shall direct: *Provided, however,* That no such regulation or by-law shall become effective unless and until it shall have been published once each week for three weeks in succession in some newspaper having a general circulation throughout the various townships and villages constituting the said district.

SEC. 9. Upon the organization of a district board of health as hereinabove provided, the provisions of the general law of the State relative to township and village boards of health and to township and village health officers shall be thenceforth suspended in such district except as herein otherwise indicated, it being the intention hereof that

the powers and duties exercised and performed under said general laws, by said township and village board of health and health officers shall, under the operation of this act be performed by the district board of health and by the district health officer employed thereby.

Slaughterhouses, Cold Storage Plants, and Other Food Establishments—Insanitary Conditions in, Prohibited—Unwholesome Food—Regulations—Inspection. (Act 344, May 10, 1917.)

SECTION 1. It shall be unlawful to permit filthy or insanitary conditions to exist in the operation of any warehouse, cold storage plant, slaughterhouse or other place within the State in which food intended for human consumption is manufactured for sale, slaughtered, received, kept, stored, sold, or offered for sale, and it shall further be unlawful to place, receive or keep, or distribute in or from any warehouse, cold storage plant, slaughterhouse, store or other place where food products intended for human consumption are kept, any article intended for sale as food if same is diseased, decomposed, putrid, infected or tainted.

SEC. 2. The dairy and food commissioner shall make necessary rules and regulations to carry into effect all legislative enactments pertaining to the manufacture for sale, receiving, keeping, storing, selling or offering for sale of food products intended for human consumption, and such commissioner, his deputy or inspectors shall, for the purpose of inspection and to take samples for analysis, have right to entrance to warehouses, cold storage plants, slaughterhouses and other places where food products are manufactured for sale, placed, received, kept, stored, sold or offered for sale.

Meat—Transportation. (Act 90, Apr. 17, 1917.)

SECTION. 1. Hereafter all dressed calves, sheep, hogs and beeves, or any portion of the same, when being shipped or transported by freight or express, shall be kept in a clean and sanitary manner. Any carcass or any portion thereof, which shall be transported in any car, shall when practicable be hung in such car, during such transportation. Such carcass, when tendered for shipment, shall be covered with clean covers of cloth of such texture as to exclude all dirt and dust: *Provided*, This shall not apply to carcasses shipped with the hides left on.

SEC. 2. Any person or persons, firm or corporation, violating any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of not more than \$100, or by imprisonment for a term of not more than three months, or by both such fine and imprisonment in the discretion of the court.

SEC. 3. It shall be the duty of the State dairy and food commissioner to enforce the provisions of this act.

Habit-Forming Drugs—Sale and Dispensing. (Act 292, May 10, 1917.)

SECTION 1. Section 1 of act No. 117,¹ public acts of 1915, entitled "An act to regulate the sale, disposition, distribution and possession of certain habit-forming drugs, and to repeal act No. 30 of the public acts of 1909, and all acts or parts of acts contrary hereto or inconsistent herewith," being section 6335 of the compiled laws of 1915, be and is hereby amended as follows:

SECTION 1. It shall be unlawful for any person to sell or offer for sale, give away or offer to give away, dispense or distribute, or have in his possession for any purpose any opium or coca leaves, or any compound manufacture, preparation or derivative, their salts or any preparation of them, derivative or preparation thereof except as herein-after provided: *Provided, however*, Possession by any person mentioned in section 4 of

¹ Pub. Health Repts. Reprint 338, p. 294.

this act, or by any person for whom any such drug has been lawfully prescribed according to the provisions of this act, or by any person in charge of such person having such drug in his possession for administration to such person according to the directions of an attending physician; or by any municipal, county, State or United States officer or agent having possession of any such drug for the enforcement of any law, shall not be unlawful: *And provided further*, That public hospitals and institutions and private hospitals not evading any provision of this act, shall be considered as pharmacists for the purposes of this act: *And provided further*, That such possession shall be presumptive evidence of the violation of this provision: *And provided further*, That the word "person" as used in this act shall be construed to mean and include persons, a partnership, association, company or corporation, as well as a natural person; and the exceptions and exemptions herein provided shall apply to any agent or employee of any excepted or exempted person, acting within the scope of his lawful agency or employment, and not contrary to any provision of this act governing his principal or employer.

Cremations—Registration. (Act 37, Apr. 13, 1917.)

SECTION 1. It shall be the duty of the health officer of each township, village and city in the State of Michigan to make a report of the cremations of the dead in their respective localities, or of the dead bodies removed from such township, village or city, for the purpose of incineration in other States, said report to be rendered to the State board of health at the end of each calendar year.

SEC. 2. In addition to the name and age of the deceased, the report shall give the names of the attending physician and undertaker, together with the dates of death and incineration, as well as the number of the permit that was filed before the cremation or removal of the dead body in question took place.

SEC. 3. In order to facilitate the registration of instances of cremation or the removal of bodies to other States for that purpose, and in order to obtain accurate statistics of the cremations in and from this State, which is the purpose of this bill, the aforesaid health officers shall and hereby are required to keep a separate record, which shall be open to public inspection.

SEC. 4. It shall be the duty of the State board of health to incorporate the statistics concerning cremation in the State of Michigan in its annual report, as a part of the general mortuary statistics of the State.

SEC. 5. It shall be the duty of local boards of health to see that the provisions of this bill are enforced and to provide for a reasonable compensation of the official making the return. Any official failing or refusing to perform his duty, under this bill, shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than \$5, and not exceeding \$100, or be imprisoned in the county jail not exceeding 30 days, or suffer both fine and imprisonment at the discretion of the court.

Mattresses and Comforts—Manufacture, Labeling, and Sale. (Act 54, Apr. 17, 1917.)

SECTION 1. No person, corporation or firm, shall within the State, manufacture for sale, knowingly offer for sale, sell, deliver, or have in his possession with intent to sell or deliver, any mattresses or comforts which are misbranded or mislabeled, within the meaning of this act.

SEC. 2. Mattresses and comforts shall be branded or labeled, as hereinafter provided, before being exposed for sale, and shall not be exposed without such brand or label.

SEC. 3. The brand or label required by the next preceding section shall contain in plain English lettering, a statement of the materials used in the manufacture of such mattresses or comforts, giving the total weight and the percentage of each material used in all cottons, felt, wool, kapok, and hair mattresses. Percentage of each material used must be given on other mattresses. Such brand or label shall be placed upon each mattress or comfort.

SEC. 4. Such label shall be in the form of cloth or cloth-lined tag, to be sewed or otherwise securely attached to each article and placed securely upon the bale, box or crate in which such mattresses and comforts are packed, shipped or exposed for sale.

SEC. 5. Such brand or label shall be placed outside of and upon the most conspicuous part of the finished article and its box, crate or covering.

SEC. 6. A person dealing in mattresses or comforts as described in this act, shall not have them in possession for the purpose of sale, or offer them for sale, without the brand or label required by this act, or remove, conceal or deface the brand or label thereon.

SEC. 7. No person within this State, shall use, either in whole or in part, in the manufacture of mattresses or comforts, any cotton, or other materials which have been used for any purpose whatever, unless the same shall have been so cleaned, sterilized or renovated as to become thoroughly safe and healthful, nor shall any person within this State sell, offer for sale or give away, any such mattresses or comforts.

SEC. 8. A mattress or comfort within the meaning of this act, shall include any quilted bed or pad, tufted or not tufted, stitched or otherwise finished bed or pad, stuffed with excelsior, cotton, jute, hair, husks, sea moss, bamboo, wool, fiber, kapock, felted cotton, felt, shoddy, African fiber, Louisiana tree moss, or other material used for this purpose, sterilized feathers excepted.

SEC. 9. If labeled felt or felted cotton, it is understood that the cotton or material has all been carded in layers or sheets by a Garnett or cotton felting machine.

SEC. 10. A person, corporation or firm, who sells, offers for sale, gives away, manufactures, or causes to be manufactured with intent to sell, any mattresses or comforts which are not branded or labeled, pursuant to the provisions of this act, or who falsely brands or labels any mattresses or comforts, or who knowingly fails or neglects to state the true and actual quantity and quality of the materials used in any mattress or comfort, or otherwise violates any provisions of this act, shall upon conviction thereof be fined not less than \$25 nor more than \$500 or imprisoned in the county jail not more than six months, or both.

SEC. 11. When any peace officer, inspector, health officer or any other person has reason to believe that any of the provisions of this act are being violated, or that used material has been used again without being so cleaned, sterilized or renovated as to become thoroughly safe and healthful, he shall fully advise the prosecuting attorney of the district and said prosecutor shall without delay proceed to enforce this act.

Weeds, Grass, and Foul Seeds—Scattering or Depositing of, on Highways or in Inland Waters Prohibited. (Act 184, May 2, 1917.)

SECTION 1. Hereafter it shall be unlawful for any person or persons to intentionally scatter or deposit any noxious weeds, wild grass, or foul seeds along or on any public highway or in any of the streams, lakes or other inland waters within this State.

SEC. 2. Any person or persons violating the provisions of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$5 nor more than \$25, or by imprisonment in the county jail for not less than 5 days nor more than 30 days, or by both such fine and imprisonment in the discretion of the court.

Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Act 357, May 10, 1917.)

SECTION 1. Any person, firm, corporation or association, who with intent to sell or in anywise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto or any interest

therein, makes, publishes, disseminates, circulates or places before the public, or causes directly or indirectly to be made, published, disseminated, circulated or placed before the public in this State, in a newspaper or other publication or in the form of a book, notice, handbill, poster, bill, circular, pamphlet or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation or statement which is untrue, deceptive or misleading, or intended to subject any person to disadvantage or injury through the publication of false or deceptive statements, shall be guilty of a misdemeanor, and shall be liable to a fine of not less than \$10 or more than \$100 for each offense: *Provided, however,* That the provisions of this act shall not apply to any owner, publisher, printer, agent or employee of a newspaper or other publication, periodical or circular, who, in good faith and without knowledge of the falsity or deceptive character thereof publishes, causes to be published, or takes part in the publication of such advertisement.

SEC. 2. Act No. 276 of the public acts of 1913, being compilers' section 15049 of the compiled laws of 1915, is hereby repealed.

MINNESOTA.

Communicable Diseases—Notification of Cases. (Reg. Bd. of H., Aug. 2, 1917.)

300. Notification within 24 hours by telegram or telephone shall be given by the attending physician to the division of preventable diseases of the State board of health (University Campus, Minneapolis), when called to a case or suspected case of:

Actinomycosis.

Anthrax.

Asiatic cholera.

Dengue.

Dysentery.—

(a) Amebic.

(b) Bacillary.

Epidemic or septic sore throat.

Favus.

Glanders.

Hookworm disease.

Leprosy.

Or when a death occurs from any of these diseases.

Malaria.

Paragonimiasis.

Paratyphoid fever.

Pellagra.

Plague.

Rabies (human cases and exposed persons).

Rocky Mountain spotted or tick fever.

Tetanus.

Trichinosis.

Typhus fever.

Yellow fever.

301. Notification within 24 hours by the regular reporting postcard or special blank provided shall be made by the attending physician (or other person as specified) to the local health officer in cities and villages and to the chairman of the board of supervisors in townships, of each case or suspected case of:

Anterior poliomyelitis.

Cerebrospinal meningitis.

Chicken pox.

Diphtheria (laryngeal croup; membranous croup).

Erysipelas.

Measles.

Ophthalmia neonatorum.

Rabies (person exposed to, etc.).

Scarlet fever (scarlatina, scarlet rash).

Smallpox.

Trachoma.

Tuberculosis.

Typhoid fever.

Whooping cough.

Ophthalmia Neonatorum—Notification of Cases—Prevention. (Reg. Bd. of H., Aug. 2, 1917.)

96. *Ophthalmia neonatorum defined.*—Any condition of the eye or eyes of an infant, independent of the nature of the infection, in which there is any inflammation, swelling, or redness, in either one or both eyes of any such infant, either apart from, or together with, any unnatural discharge from the eye or eyes of any such infant within two weeks of the birth of such infant, shall be known as ophthalmia neonatorum.

97. *Duties of physicians, midwives, and others.*—It shall be the duty of any physician or midwife in attendance on, or in charge of, a confinement case to treat the eyes of every new-born babe with a 1 per cent solution of silver nitrate.

98. It shall be the duty of any midwife immediately to call a legally licensed physician in every case in which symptoms of inflammation develop in one or both eyes of infants under her care.

99. It shall be the duty of any physician, surgeon, obstetrician, midwife, nurse, maternity home, or hospital of any nature, parent, relative, and any person or persons attendant on, or assisting in any way whatsoever, any woman at childbirth, or attend-

ant on, or assisting in any way whatsoever, any infant, or the mother of any infant, at any time within two weeks after childbirth, knowing the condition hereinabove defined to exist, and within eight hours thereafter, to report such fact, as the State board of health shall direct, to the local health officer of the city, village, or township within which the infant is cared for.

100. *Duties of maternity homes, physicians, etc.*—It shall be the duty of all maternity homes and of hospitals, public and charitable institutions to maintain such records of cases of ophthalmia neonatorum as the State board of health shall direct. It shall be the duty of any and all maternity homes, hospitals, public and charitable institutions, and all other institutions having the care of any infant, in addition to reporting as hereinbefore provided, to employ a licensed physician in the treatment of the conditions described in regulation 96.

101. *Duties of the local health officer.*—It shall be the duty of the local health officer:

(a), To investigate each case as filed with him in pursuance with the law, and any other such case as may come to his attention.

(b) To report all cases of ophthalmia neonatorum, and the result of all such investigations as he shall make, as the State board of health shall direct.

(c) To conform to such other rules and regulations as the State board of health shall promulgate for his further guidance.

Poliomyelitis—Isolation of Children Having Fever when Disease Is Present in a Locality. (Reg. Bd. of H., Aug. 2, 1917.)

405. Whenever poliomyelitis prevails in a locality, the local board of health shall cause a search for, and a careful examination of, all ill children to be made, and all children with fever shall be isolated pending the diagnosis.

Communicable Diseases—Control—Employment of Medical and Other Help by Local Officials. (Ch. 427, Act Apr. 20, 1917.)

SECTION 1. That section 4646 of the General Statutes of Minnesota, 1913, be and the same is hereby amended so as to read as follows:

SEC. 4646. The health officer in a municipality or the chairman of the board of supervisors in a township, shall employ at the cost of the health district over which his local board of health has jurisdiction and in which the person afflicted with a communicable disease is located, all medical and other help necessary in the control of such communicable disease, or for carrying out within such jurisdiction the lawful regulations and directions of the State board of health, its officers, or employees, and upon his failure so to do the State board of health may employ such assistance at the expense of the district involved. Any person whose duty it is to care for himself or another afflicted with a communicable disease shall be liable for the reasonable cost thereof to the municipality or town paying such cost, excepting that the municipality or town constituting such district shall be liable for all expense incurred in establishing, enforcing, and releasing quarantine, half of which may be recovered from the county as provided for under sections 4647 and 4648, General Statutes of 1913.

State Board of Health—Regulations—Powers. (Ch. 345, Act Apr. 17, 1917.)

SECTION 1. Section 4640, General Statutes 1913, is hereby amended so as to read as follows:

4640. The board may adopt, alter and enforce reasonable regulations, of permanent application throughout the whole or any portion of the State, or for specified periods in parts thereof, for the preservation of the public health. Upon the approval of the attorney general, and the due publication thereof, such regulations shall have the force of law, except in so far as they may conflict with a statute or with the charter

or ordinances of a city of the first class upon the same subject. In and by the same the board may control, by requiring the taking out of licenses or permits, or by other appropriate means, any of the following matters:

1. The manufacture into articles of commerce, other than food, of diseased, tainted or decayed animal or vegetable matter;

2. The business of scavengering and the disposal of sewage;

3. The location of mortuaries and cemeteries and the removal and burial of the dead;

4. The management of lying-in houses and boarding places for infants and the treatment of infants therein;

5. The pollution of streams and other waters, and the distribution of water by private persons for drinking or domestic use;

6. The construction and equipment, in respect to sanitary conditions, of schools, hospitals, almshouses, prisons and other public institutions, and of lodging houses and other public sleeping places kept for gain;

7. The treatment, in hospitals and elsewhere, of persons suffering from communicable diseases, including all manner of venereal disease and infection, the disinfection and quarantine of persons and places in case of such disease, and the reporting of sicknesses and deaths therefrom;

7-A. The prevention of infant blindness and infection of the eyes of the newly born by the designation of a prophylactic to be used in such cases and in such manner as the board may direct, unless specifically objected to by the parents or a parent of such infant;

8. The furnishing of vaccine matter; the assembling, during epidemics of smallpox, with other persons not vaccinated. But no rule of the State board or of any public board or office shall at any time compel the vaccination of a child, or shall exclude, except during epidemics of smallpox, and when approved by the local board of education, a child from the public schools, for the reason that such child has not been vaccinated. Any person thus required to be vaccinated may select for said purpose any licensed physician, and no rule shall require the vaccination of any child whose physician shall certify that by reason of his physical condition vaccination would be dangerous;

9. The accumulation of filthy and unwholesome matter to the injury of the public health, and the removal thereof; and

10. The collection, recording and reporting of vital statistics by public officers, and the furnishing of information to such officers, by physicians, undertakers and others, of births, deaths, causes of death and other pertinent facts.

Water Supplies, Sewage and Refuse Disposal—Plans to be Approved by State Board of Health. (Reg. Bd. of H., Aug. 2, 1917.)

200. No system of water supply, sewerage, or refuse disposal for public use, which affects or tends to affect public health, shall be installed, nor shall any such existing system be materially altered or extended, until complete plans and specifications for the installation, alteration, or extension, together with such information as the State board of health may require, have been submitted in duplicate and approved by the board so far as relates to their sanitary features. All construction shall take place in accordance with the plans as approved, whether with or without modification. Whenever any governing body of any municipality having charge thereof shall determine that there shall be any material change in the plans, construction, or operation of any such system, such governing body shall submit to the State board of health, in duplicate, a detailed statement of such action and such contemplated changes before it shall enter upon the making of such changes or enter into any contract therefor or any part thereof, and then such changes shall only be made after approval as to all matters liable to affect public health, by the State board of health.

Water and Sewer Connections in Villages—Installation of Toilets. (Ch. 203, Act Apr. 12, 1917.)

SECTION 1. Whenever any village in the State of Minnesota, having power to do so, installs, builds and constructs a municipal sewer and water plant within its corporate limits along any public street or alley, it shall be the duty of every owner or occupant of any abutting property platted into lots and blocks having a dwelling house or business property situate thereon to install a toilet in said dwelling or business property, and make connection thereof with the water and sewer in the street or alley adjacent thereto, within 30 days after written notice is given to such owner or occupant to install such toilet and make such connection by the governing body of such village, and the authority to give such notice may by ordinance of such village be delegated to any elective or appointive officer of such village and when the owner or occupant of any property so notified in writing to install a toilet and make sewer and water connection shall for 30 days after such written notice is given, and proof of the service of such notice shall fail, refuse and neglect to make such connection and install such toilet, such governing body may by resolution direct that a toilet be installed and connection made with sewer and water and that the cost of said installation be paid in the first instance by the village out of the general fund of revenue, and the actual cost thereof assessed against the said property benefited; after such installation and connection is completed there shall be served a written notice of such assessment and an order directing the owner or his or her representative of such property to pay said assessment and within 10 days after the service of said written notice, to the treasurer of such village, and after proof of such notice and order and that assessment has not been paid within said 10 days the same shall be certified to the county auditor for collection as other assessments for benefits except that such assessment may be spread over a term of three years if so requested when certified, and shall become a lien upon said property until paid.

SEC. 2. Any person who shall in any way interfere with the carrying out of the provisions of this act shall be, when convicted subject to punishment by a fine of not less than \$25 nor more than \$100, or to imprisonment in the county jail for not more than three months or by both fine and imprisonment at the discretion of the trial court.

Births and Deaths—Registration—Certified Copies of Records. (Ch. 220, Act Apr. 14, 1917.)

SECTION 1. Section 4651, General Statutes, 1913, is hereby amended so as to read as follows:

4651. The physician or midwife attending at the birth of any child, or, if there is no attending physician or licensed midwife, the father or mother, shall, within 10 days thereafter, subscribe and file with the local registrar of the district within which the birth occurs, a certificate of birth specifying:

Place of birth, including State, county, city, village or town with the street and house number, if any, or in lieu thereof the name of the hospital or other private, public or State institution, if in such institution.

Full name of child. If the child dies without being named before the certificate is filed enter the word "unnamed" with date of death.

Male or female.

Whether one of twins, triplets or other plural birth and the number in order of birth. Legitimate or no.

Date of birth, including year, month, day and hour.

Full name of father: *Provided*, That if the child is illegitimate the name or residence of, or other identifying details relating to, the putative father shall not be entered without his consent, except as provided in section 4660-A.

Residence of the father.

Color or race of father—as white, colored, Indian, Chinese or other.

Age of father at last birthday.

Birthplace of father; State or foreign country.

Occupation of father with a statement of the trade, profession or particular kind of work; or the general nature of the industry or business engaged or employed in.

Full maiden name of mother.

Residence of mother.

Color or race of mother—as white, colored, Indian, Chinese or other.

Age of mother at last birthday.

Birthplace of mother; State or foreign country.

Occupation of the mother with a statement of the trade, profession or particular kind of work; or the general nature of the industry or business engaged or employed in.

Number of children born to this mother, including present birth.

Number of children born of this mother now living.

The fact of attendance and that the birth occurred at the time stated.

Date of making and address of the person subscribing.

If the child is one of a plural birth a separate certificate for each child shall be filed.

When the birth occurs in any lying-in hospital or in any private, public, charitable or State institution, without attendance by a physician or licensed midwife, the superintendent, manager or person in charge shall make and file the certificate of birth.

If the birth occurs in any hotel, rooming or boarding house, or in any private dwelling or apartment other than the home of the parents, the keeper or occupant shall immediately notify the local registrar of that fact. The local registrar shall then procure the necessary information and signature for a proper certificate of birth.

The attending physician or midwife shall deliver to the parents a blank for a supplemental report of the given name if the child is not named at the time of making the certificate of birth.

When a certificate of birth is filed without the given or baptismal name the local registrar shall deliver to the parents a blank for a supplemental report of the name. Such supplemental report shall be made and filed with the local registrar as soon as the child is named. If such report is not filed within 30 days from the date of birth the local registrar shall obtain such name by other means.

SEC. 2. Section 4652, General Statutes, 1913, is hereby amended so as to read as follows:

4652. The undertaker, or person acting as such, at the burial of any person dying in this State shall obtain and file with the local registrar of the district in which the death occurs, a certificate of death containing:

A statement, authenticated by the signature of some person cognizant of the facts specifying:

Place of death, including State, county, city, village or town, with the name of the street and house number, or in lieu thereof, the name of the hospital or other private, public or State institution, if in such institution. If in an industrial or mining camp, or mine, the name of the camp or mine.

Full name of deceased. If an unnamed child the surname preceded by "unnamed."

Male or female.

Color or race—as white, colored, Indian, Chinese or other.

Single, married, widowed or divorced.

Date of birth, including year, month and day.

Age in years, months and days. If less than one day, the hours or minutes.

Occupation. If the person had any remunerative employment, statement of the trade, profession, or particular kind of work; or the general nature of the industry or business engaged or employed in.

Birthplace; State or foreign country.

Name of father: *Provided*, That if the deceased was of illegitimate birth the name or residence of, or other identifying details relating to, the putative father shall not be entered without his consent, except as provided in section 4660-A.

Birthplace of father; State or foreign country.

Maiden name of mother.

Birthplace of mother; State or foreign country.

A medical certificate subscribed by the attending physician, together with his address and date of making, stating fact and time of death, giving year, month, day and hour; time of attendance; when last seen alive; the disease or injury causing death, with contributory cause or complication, and the duration of the illness; if from violence, the means and circumstances of the injury and whether indicating accident, suicide or homicide: *Provided*, That the medical certificate shall be made and subscribed by the coroner whenever the cause of death is investigated by him: *Provided further*, That in cities of the first, second and third class the health officer, and in towns, villages and cities of the fourth class the local registrar, or a subregistrar, shall make and subscribe the medical certificate for any death occurring therein without medical attendance or investigation by the coroner. If the local registrar, or subregistrar, is unable to determine the cause of death he shall refer the case to a physician, or to the coroner, for certification.

When the death occurs in a hospital or other institution or place, other than the home of the deceased, a statement of the length of time at the place of death, length of time in the State, usual place of residence and where the disease was contracted.

A statement showing place and date of burial signed by the undertaker with his address.

In the case of a child dead at birth a certificate of birth having the word "stillbirth" inserted in place of the name, and, also, a certificate of death shall be made and filed with the local registrar, and a burial permit issued as hereinafter provided. The medical certificate shall be signed by the attending physician and shall state the cause of death as "stillborn" with the cause of the stillbirth, whether a premature birth and, if so, the period of utero-gestation in months: *Provided*, That a certificate of birth or death shall not be required for a child that has not advanced to the fifth month of utero-gestation.

In case of stillbirths occurring without an attending physician the medical certificate shall be made and subscribed as is herein provided in case of death without medical attendance.

SEC. 3. There is hereby added to chapter 29, General Statutes, 1913, a new section, to follow section 4653, and to be known as section 4653-A, as follows:

4653-A. Immediately upon the receipt of a certificate of birth not accompanied with a certificate of death of the same child the local and State registrars, respectively, shall transcribe therefrom into a book to be known as the "public record of births" the following items of information: Name, sex, color or race and date of birth of child; county and city, town or village where birth occurred; name and age of mother. The public record of births shall be open to examination by all persons desiring to consult it, and from such book only shall transcripts be made for use in connection with school attendance and employment.

SEC. 4. There are hereby added to chapter 29, General Statutes, 1913, two new sections to follow section 4660 and to be known, respectively, as sections 4660-A and 4660-B, as follows:

4660-A. Whenever the clerk of a district court shall report to the State registrar that a judgment has been entered determining the paternity of an illegitimate child, the State registrar shall record the name of the father, and sufficient data to identify the judgment, in connection with the record of the birth of the child appearing in his office, and also in connection with the record of the death of the child, if there be

such record. A report by the clerk of the subsequent vacation of such judgment shall be recorded in like manner.

4660-B. Except when so ordered by a court of record no member of the State board of health nor any State or local registrar, nor any person connected with the office of either, shall disclose the fact that any child was either legitimate or illegitimate. The district court shall have jurisdiction, upon petition against and notice to the State registrar, to issue such orders permitting or requiring the inspection of records of births and deaths, as to it may seem just and proper, and the making and delivery of certified copies thereof.

SEC. 5. Section 4661, General Statutes, is hereby amended so as to read as follows:

4661. The State registrar, or any local registrar, shall furnish any applicant therefor a certified copy of the record of any birth or death recorded under the provisions of this act: *Provided*, That the fact that any child was either legitimate or illegitimate, or other facts from which such fact can be determined, shall not be disclosed except when ordered by a court of competent jurisdiction in accordance with section 4660-B. For the making and certification of a complete record the registrar shall be entitled to receive a fee of 50 cents, to be paid by the applicant; for a transcript from the public record of births he shall be entitled to a fee of 25 cents, to be paid in like manner. Such copy of the record of a birth or death, when certified by the State or local registrar to be a true transcript therefrom, shall be prima facie evidence of the facts therein stated in all courts in this State. The State registrar shall keep a correct account of all fees or moneys received by him under the provisions of this act, and pay the same over to the State treasurer at the end of each month.

SEC. 6. Section 4662, General Statutes, 1913, is hereby amended so as to read as follows:

4662. Any person who shall violate any of the provisions of this act, or shall wilfully neglect or refuse to perform any duty imposed upon him thereby, or shall furnish false information affecting any certificate or record provided in this chapter, or who shall disclose any information in violation of section 4660-B or 4661, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$100 or imprisoned in the county jail for a period of not more than 90 days.

SEC. 7. This act shall take effect and be in force from and after the 1st day of January, 1918.

Dwelling Houses and Premises—Sewer and Water Connections—Water-Closets, Privies, and Cesspools—Urinals—Plumbing—Water Supply—Cleanliness—Removal of Old Wall Paper—Receptacles for Garbage, Refuse, and Ashes—Keeping of Domestic Animals—Handling of Rags and Junk—Overcrowding—Infected and Uninhabitable Dwellings—Lighting and Ventilation—Inspection. (Ch. 137, Act Mar. 30, 1917.)

SECTION 1. *Short title and application.*—This act shall be known and may be cited as the housing act for cities of the first class, and shall apply to every city of the first class of the State not organized under section 36 of article 4 of the State constitution.

* * * * *

SEC. 2. (18) *Nuisance.*—The word "nuisance" shall be held to embrace public nuisance as known at common law or in equity jurisprudence; and whatever is dangerous to human life or detrimental to health; whatever dwelling is overcrowded with occupants or is not provided with adequate ingress and egress to or from the same, or is not sufficiently supported, ventilated, sewered, drained, cleaned or lighted, in reference to its intended or actual use; and whatever renders the air or human food or drink unwholesome, are also severally, in contemplation of this act, nuisances; and all such nuisances are hereby declared illegal.

* * * * *

SEC. 8. *Sewer connection and water supply.*—The provisions of this act with reference to sewer connections and water supply shall be deemed to apply only where there is a sewer and water main in the street on which the dwelling is located, and which extend as far as the lot or plot of ground on which the dwelling is situated.

Wherever there is no sewer in the street on which a dwelling is situated but there is a water main, the required plumbing for the dwelling shall be connected to a cesspool at least 20 feet in depth and 4 feet by 4 feet in size: *Provided*, That the nature of the soil is such, in the opinion of the inspector of buildings, that such cesspool can be made properly to take care of the sewage from said plumbing system. Wherever it is found by said inspector to be impracticable owing to the nature of the soil adjacent to said dwelling to construct such cesspool, a waterproof privy vault or other approved sanitary privy or similar device may be used temporarily for such dwelling until such time as a sewer is provided in the street adjacent to such dwelling. Whenever a sewer is so provided the owner of the dwelling shall at once install a plumbing system in the dwelling and connect it to the sewer. Cesspools shall be placed not less than 20 feet from the building whenever practicable.

SEC. 35. *Water-closet compartments and bath rooms; lighting and ventilation of.*—In every dwelling hereafter erected every water-closet compartment and bathroom shall have at least one window opening directly upon the street, or upon a yard or court of the dimensions specified in this article and located on the same lot. In all dwellings hereafter erected the aggregate area of windows for each water-closet compartment shall be not less than 6 square feet between stop beads, and in multiple dwellings hereafter erected one at least of such windows shall be not less in size than 3 square feet between stop beads. Such window shall be so located as properly to light all portions of such compartment. The foregoing provisions of this section shall not apply to any water-closet compartment or bathroom in a hotel which is equipped with a proper mechanical ventilating system so installed as to provide four complete changes of air per hour in each such compartment and bathroom. Such ventilating system shall be maintained in constant operation. Every such window shall be made so as to open in all its parts. Nothing in this section contained shall be construed so as to prohibit a general toilet room containing several water-closet compartments separated from each other by dwarf partitions, provided such toilet room is adequately lighted and ventilated to the outer air as above provided, and that such water-closets are supplemental to the water-closet accommodations required by the provisions of section 50 of this act. In hotels hereafter erected in the case of water-closets located on the top floor or at the bottom of a court, a ventilating skylight opening to the sky may be used in lieu of the windows required by this section.

SEC. 49. *Water supply.*—In every dwelling hereafter erected, when water mains are accessible as specified in section 8 of this act, there shall be a proper sink or washbowl with running water, exclusive of any sink in the cellar. In two-family-dwellings and in multiple-dwellings of class A there shall be such a sink or washbowl in each apartment, suite or group of rooms. The installation of such sink or washbowl with running water may be waived by the commissioner of health so long and so long only as the house is not occupied except by its owner and his family.

SEC. 50. *Water-closet accommodations.*—In every dwelling hereafter erected, except as provided in section 8 of this act, there shall be a separate water-closet. Each such water-closet shall be placed in a compartment completely separated from every other water-closet; such compartment shall be not less than 3 feet wide, and shall be enclosed with partitions which shall extend to the ceiling and which shall not be of wood construction. Every such compartment shall have a window opening directly upon the street or upon a yard or court of the minimum sizes prescribed by this act and located upon the same lot. Nothing in this section contained shall be construed so as to

prohibit a general toilet room containing several water-closet compartments separated from each other by dwarf partitions, provided such toilet room is adequately lighted and ventilated to the outer air as above provided, and that such water-closets are supplemental to the water-closet accommodations required by other provisions of this section for the tenants of the said dwelling. No water-closet shall be placed out of doors. No water-closet shall be placed in a cellar without a written permit from the inspector of buildings. In two-family dwellings and in multiple-dwellings of class A hereafter erected there shall be for each family a separate water-closet constructed and arranged as above provided and located within each apartment, suite or group of rooms. In multiple-dwellings of class B hereafter erected there shall be provided at least one water-closet for every 20 occupants or fraction thereof. Every water-closet compartment hereafter placed in any dwelling shall be provided with proper means of lighting the same at night. In multiple-dwellings hereafter erected the floor of every water-closet compartment shall be made waterproof with asphalt, tile, stone, terrazzo or some other nonabsorbent waterproof material.

SEC. 51. *Urinals*.—The floor of every urinal compartment shall be made waterproof with asphalt, tile, stone, terrazzo or some other nonabsorbent waterproof material; and such waterproof material shall extend at least 3 feet above the floor so that the said floor can be washed or flushed out without leaking.

SEC. 52. *Sewer connection*.—No multiple-dwelling shall hereafter be erected on any street unless there is city water supply accessible thereto nor unless there is a public sewer in such street, or a private sewer connecting directly with a public sewer, and every such multiple-dwelling shall have its plumbing system connected with the city water supply and with a public sewer before such multiple-dwelling is occupied. No cesspool or vault or similar means of sewage disposal shall be used in connection with any dwelling where connection with a public sewer is practicable.

SEC. 53. *Plumbing*.—In every dwelling hereafter erected no plumbing fixture shall be enclosed with woodwork but the space underneath shall be left entirely open. All plumbing work shall be sanitary in every particular. All fixtures shall be trapped. Pan, plunger, and long hopper closets shall not be permitted. Wooden sinks and wooden wash trays shall not be permitted. Tile or earthenware house drains shall not be permitted. In all multiple-dwellings hereafter erected where plumbing or other pipes pass through floors or partitions, the openings around such pipes shall be sealed or made tight with incombustible material, so as to prevent the spread of fire from one floor to another or from room to room.

* * * * *

SEC. 83. *Water-closet accommodations*.—Every water-closet hereafter placed in a dwelling, except one provided to replace a defective or antiquated fixture in the same location, shall comply with the provisions of sections 35, 50, 51, and 53 of this act relative to water-closets in dwellings hereafter erected, except that in the case of a new water-closet installed on the top floor of an existing dwelling, a ventilating skylight open to the sky may be used in lieu of the windows required by section 35 of this act.

* * * * *

SEC. 97. *Water-closets in cellars*.—No water-closet shall be maintained in the cellar of any dwelling without a permit in writing from the commissioner of health, who shall have power to make rules and regulations governing the maintenance of such closets. Under no circumstances shall the general water-closet accommodations of any multiple-dwelling be permitted in the cellar or basement thereof; this provision, however, shall not be construed so as to prohibit a general toilet room containing several water-closets, provided such water-closets are supplementary to those required by law.

SEC. 98. *Water-closet accommodations*.—In every dwelling existing prior to the passage of this act there shall be provided at least one water-closet for every two apartments, groups or suites of rooms, or fraction thereof, except that in multiple-

dwellings of class B there shall be provided at least one water-closet for every 20 occupants or fraction thereof. This section shall be subject to the provisions of section 8 of this act.

* * * * *

SEC. 100. *Water-closets and sinks.*—In all dwellings the floor or other surface beneath and around water-closets and sinks shall be maintained in good order and repair.

* * * * *

SEC. 102. *Water supply.*—Every dwelling where water supply is accessible, shall, subject to the provisions of section 8 of this act, have within the dwelling at least one proper sink with running water furnished in sufficient quantity at one or more places exclusive of the cellar. In two-family dwellings and multiple dwellings of class A there shall be at least one such sink for each family located within the apartment occupied by said family.

SEC. 103. *Cisterns and wells.*—Where there is no city water supply accessible, there shall be provided one or more adequate cisterns or wells with a pump. Such cisterns or wells shall be of such size and number and constructed and maintained in such manner as may be determined by the commissioner of health. The above requirements shall be subject to the provisions of section 8 of this act.

SEC. 104. *Catch-basins.*—In the case of dwellings where, because of lack of city water supply or sewers, sinks with running water are not provided inside the dwellings, one or more catch basins properly connected with a cesspool for the disposal of waste water, as may be necessary in the opinion of the commissioner of health, constructed in such manner as he may specify, shall be provided in the yard or court, level with the surface thereof and at a point easy of access to the occupants of such dwelling.

SEC. 105. *Cleanliness of dwellings.*—Every dwelling and every part thereof shall be kept clean and shall also be kept free from any accumulation of dirt, filth, rubbish, garbage or other matter in or on the same, or in the yards, courts, passages, areas, or alleys connected with or belonging to the same. The owner of every dwelling, and in the case of a private dwelling the occupant thereof, shall thoroughly cleanse or cause to be cleansed all rooms, passages, stairs, floors, windows, doors, walls, ceilings, privies, water-closets, cesspools, drains, halls, cellars, roofs and all other parts of the said dwelling, or part of the dwelling of which he is the owner, or in the case of a private-dwelling the occupant, to the satisfaction of the commissioner of health, shall keep the said parts of the said dwelling in a cleanly condition at all times, but this section shall not be construed to require the owner to keep clean the individual apartments of a two-family dwelling or a multiple dwelling of class A, except where such apartments are unoccupied. It shall be the duty of each occupant to keep the portion of the dwelling occupied by him and over which he has control in a cleanly condition at all times.

SEC. 106. *Walls of courts.*—In multiple dwellings the walls of all courts, unless built of a light color brick or stone, shall be thoroughly whitewashed by the owner or shall be painted a light color by him, and shall be so maintained. Such whitewash or paint shall be renewed whenever necessary, and walls of light color brick or stone shall be cleaned or whitewashed whenever necessary, as may be required by the commissioner of health.

SEC. 107. *Walls and ceilings of rooms.*—In all multiple dwellings the commissioner of health may require the walls and ceilings of any room to be whitewashed, kalsomined white or painted with white paint when necessary to improve the lighting of such room and may require this to be renewed as often as may be necessary.

SEC. 108. *Wall paper.*—Whenever required by the commissioner of health, all old wall paper shall be removed and the walls and ceilings thoroughly cleaned before being redecorated.

SEC. 109. *Receptacles for ashes, rubbish and garbage.*—Suitable tight metal cans, with covers, for holding ashes, rubbish, garbage, refuse and other matter shall be provided

and maintained for every dwelling. In the case of private dwellings and two-family dwellings such cans shall be provided by the occupant. In the case of multiple dwellings of class A where there are janitors, each family shall provide its own cans, but the owner shall provide such general cans to receive such waste materials as may be necessary. Wherever the owner of a multiple dwelling of class A provides individual cans for each apartment, it shall be the duty of the occupant of such apartment to keep the cans used by him in a cleanly conditions at all times. Garbage chutes and bins are prohibited, but this shall not be construed as prohibiting garbage incinerators, inside of chimneys, if properly constructed.

SEC. 110. *Prohibited uses.*—No horse, mule, cow, calf, swine, sheep, goat, chicken, or other fowl shall be kept in any dwelling or part thereof. Nor shall any such animal be kept on the same lot or premises with a dwelling except under such conditions as may be prescribed by the commissioner of health. No such animal except a horse or mule, shall under any circumstances be kept on the same lot or premises with a multiple dwelling.

No dwelling or the lot or premises thereof shall be used for the storage or handling of rags or junk.

* * * * *

SEC. 115. *Overcrowding.*—If any room in a dwelling is overcrowded, the commissioner of health may order the number of persons sleeping or living in said room to be so reduced that there shall be not less than 600 cubic feet of air to each adult and 400 cubic feet of air to each child under 12 years of age occupying such room.

SEC. 116. *Lodgers.*—The commissioner of health may prescribe conditions under which lodgers or boarders may be taken in dwellings and may prohibit the letting of lodgings therein.

SEC. 117. *Infected and uninhabitable dwellings to be vacated.*—Whenever it shall be certified by an inspector or officer of the health department that a dwelling is infected with contagious disease, the commissioner of health may issue an order requiring all persons therein to vacate such dwelling within 24 hours for the reasons to be mentioned in said order.

The commissioner of health shall cause such dwelling to be disinfected, and shall, when the temperature is below freezing, protect from freezing at the expense of the owner of said dwelling all plumbing and heating apparatus in such dwelling.

Whenever it shall be certified by an inspector or officer of the health department that a dwelling is unfit for human habitation or dangerous to life and health by reason of want of repair, or defects in the drainage, plumbing, lighting, ventilation, or the construction of the same, or by reason of the existence on the premises of a nuisance likely to cause sickness among the occupants of said dwelling, or for any other cause, the commissioner of health may order the owner or other person having control of the dwelling to remedy such defect within a period of not less than 5 days nor more than 30 days, said order to be served according to the provisions of section 148 of this act. In case such order is not complied with within the time specified, the commissioner of health may issue an order requiring all persons therein to vacate such dwelling within not less than 24 hours nor more than 10 days for the reasons to be mentioned in said order.

In case an order to vacate is not complied with within the time specified, the commissioner of health may cause said dwelling to be vacated. The commissioner of health, whenever he is satisfied that the danger from said dwelling has ceased to exist, or that it is fit for human habitation, may revoke said order or may extend the time within which to comply with the same.

SEC. 118. *Repairs to buildings, et cetera.*—Whenever any dwelling or any building, structure, excavation, business pursuit, matter or thing, in or about a dwelling, or the lot on which it is situated, or the plumbing, sewerage, drainage, light or ventilation thereof, is in the opinion of the commissioner of health in a condition or in effect dangerous or detrimental to life or health, the commissioner of health may declare

that the same to the extent that he may specify is a public nuisance, and may order the same to be removed, abated, suspended, altered, or otherwise improved or purified as the order shall specify. In addition to the above powers the commissioner of health may also order or cause any dwelling or excavation, building, structure, sewer, plumbing pipe, passage, premises, ground, matter or thing, in or about a dwelling, or the lot on which it is situated, to be purified, cleansed, disinfected, removed, altered, repaired or improved. If any order of the commissioner of health issued under the authority of the provisions of this act is not complied with, or so far complied with as he may regard as reasonable, within 15 days after the service thereof, or within such shorter time as he may designate, then such order may be executed by said commissioner of health, through his officers, agents, employees or contractors.

* * * * *

SEC. 126. *Public halls and stairs, lighting and ventilation of.*—In all dwellings erected prior to the passage of this act, the public halls and stairs shall be provided with as much light and ventilation to the outer air as may be deemed practicable by the commissioner of health, who may order the cutting in of windows and skylights and such other improvements and alterations in said dwellings as in his judgment may be necessary and appropriate to accomplish this result. All new skylights hereafter placed in such dwellings shall be provided with ventilators having a minimum opening of 40 square inches and also with either fixed or movable louvres or with movable sash; all such skylights and windows shall be of such size as may be determined to be practicable by said commissioner of health.

SEC. 127. *Sinks and lavatories.*—In all dwellings erected prior to the passage of this act, the woodwork enclosing sinks and lavatories shall be removed and the space underneath said sinks and lavatories shall be left open. The floor and wall surfaces beneath and around the sink and lavatory shall be put in good order and repair.

SEC. 128. *Water-closets.*—In all dwellings erected prior to the passage of this act, the woodwork enclosing all water-closets shall be removed from the front of said closets, and the space underneath the seat shall be left open. The floor or other surface beneath and around the closet shall be put in good order and repair.

SEC. 129. *Privy vaults, school sinks and water-closets.*—Whenever a connection with a sewer is possible, as provided in section 8 of this act, all privy vaults, school sinks, cesspools or other-similar receptacles used to receive fecal matter, urine or sewage, shall before July 1, 1918, with their contents, be completely removed and the place where they were located properly disinfected under the direction of the commissioner of health. Such appliances shall be replaced by individual water-closets of durable nonabsorbent material, properly sewer-connected, and with individual traps, and properly connected flush tanks providing an ample flush of water thoroughly to cleanse the bowl. Each such water-closet shall be located inside the dwelling or other building in connection with which it is to be used, in a compartment completely separated from every other water-closet, and such compartment shall contain a window of not less than 4 square feet in area opening directly to the street, or rear yard or on a side yard, or court of the minimum sizes prescribed in sections 22, 23 and 24 of this act. The floors of the water-closet compartments shall be as provided in section 50 of this act. Such water-closets shall be provided in such numbers as required by section 98 of this act. Such water-closet and all plumbing in connection therewith shall be sanitary in every respect and, except as in this act, otherwise provided, shall be in accordance with the local ordinances and regulations in relation to plumbing and draining. Pan, plunger and long hopper closets will not be permitted. No water-closet shall be placed out of doors.

Whenever a water-closet is installed in a dwelling and connected either to the sewer or to a cesspool, all existing privy vaults on the premises, with their contents, shall be completely removed and the places where they were located properly disinfected under the direction of the commissioner of health.

* * * * *

SEC. 152. *Inspection of buildings.*—The commissioner of health shall cause a periodic inspection to be made of every multiple dwelling at least once a year. Such inspection shall include thorough examination of all parts of such multiple dwelling and the premises connected therewith. The commissioner of health is also hereby empowered to make similar inspection of all dwellings as frequently as may be necessary.

SEC. 153. *Right of entry.*—The commissioner of health, the inspector of buildings, and all inspectors, officers and employees of the health department and the building department, and such other persons as may be authorized by the commissioner of health or the inspector of buildings, may, in the performance of their duties, without fee or hindrance, enter, examine and survey all premises, grounds, erections, structures, apartments, dwellings, buildings and every part thereof in the city. The owner or his agent or representative and the lessee and occupant of every dwelling and every person having the care and management thereof shall at all reasonable times when required by any of such officers or persons give them free access to such dwellings and premises. The owner of a dwelling and his agents and employees shall have right of access to such dwelling at reasonable times for the purpose of bringing about a compliance with the provisions of this act or any order issued thereunder.

* * * * *

Maternity Hospitals and Children's Homes—Regulation. (Ch. 212, Act. Apr. 12, 1917.)

SECTION 1. *Maternity hospitals and infants' homes; definitions.*—Any person who receives for care and treatment during pregnancy, or during delivery or within 10 days after delivery, more than one woman within a period of six months, except women related to him by blood or marriage, shall be deemed to maintain a maternity hospital. Any person who receives for care or treatment, or has in his custody at any one time three or more infants under the age of 3 years, unattended by a parent or guardian, for the purpose of providing them with food, care and lodging, except infants related to him by blood or marriage, shall be deemed to maintain an infants' home. The word "person" where used in this act shall include individuals, partnerships, voluntary associations and corporations: *Provided, however,* That this act shall not be construed to relate to any institution under the management of the State board of control, or to its officers or agents; nor to any individual who has received for care alone children from not more than one family during any period of three months. Whoever receives and cares for both women and infants as above defined shall be deemed to maintain a maternity hospital and infants' home, and shall be subject to all the provisions of this act.

SEC. 2. *Same; incorporation required in certain counties.*—No individual, partnership or association, except a corporation duly created and existing under the laws of Minnesota, and authorized by its charter so to do, shall maintain in any county containing a city of the first or second class a maternity hospital or infants' home, as defined in this act.

SEC. 3. *Same; licenses.*—The State board of control is hereby empowered to grant a license for one year for the conduct of any maternity hospital or infants' home that it believes is needed and is for the public good, and that is conducted by a reputable and responsible person; and it shall be the duty of the board to provide such general regulations and rules for the conduct of all such hospitals and homes as shall seem advisable to it and not inconsistent with any of the provisions of this act. No person shall receive a woman or child for care in any such hospital or home without first obtaining from said board a license so to do. No such license shall be issued unless the premises are in fit sanitary condition. The license shall state the name of the licensee, the particular premises in which the business may be carried on and the number of women and infants that may be boarded, treated or cared for therein at any one time; and such license shall be kept posted in a conspicuous place on the

licensed premises. No greater number of women or infants shall be kept at any one time on the premises than is authorized by the license and no woman or infant shall be kept in a building or place not designated in the license. A record of the license so issued shall be kept by the board of control, which shall forthwith give notice to the State board of health and to the local board of health of the town in which the licensee resides, of the granting of such license and the conditions thereof. The license shall be valid for one year from the date of issue. The State board of control may revoke the license when a provision of this chapter is violated, or when, in the opinion of said board, such maternity hospital or infants' home is maintained without due regard to sanitation and hygiene, or to the health, comfort or morality of the inmates thereof. The board shall note such revocation upon the face of the record of the license and give written notice of the revocation to the licensee by handing the notice to the licensee or leaving it on the licensee's premises, and shall forthwith notify the State board of health and the local board of health of the town in which the maternity hospital or infants' home is situated.

SEC. 4. *Same; offers to dispose of children.*—No person, as an inducement to a woman to come to his place during confinement, shall in any way offer to dispose of any child, or advertise that he will give children for adoption, or hold himself out as being able to dispose of children in any manner.

SEC. 5. *Same; record of infants and book of forms.*—The State board of control may prescribe forms for the registration and record of persons cared for in such home or hospital, and the licensee shall be entitled to receive gratuitously from the board of control a book of forms for such registration and record. Each book shall contain a printed copy of this chapter. The licensee of a maternity hospital shall keep a record, in a form to be prescribed by said board, wherein shall be entered the true name of every patient, together with all her places of residence during the year preceding admission to such hospital; the name and address of the physician or midwife who attended at each birth taking place in such hospital, or who attended any sick infant therein, and the name and address of the mother of such child; the name and age of each child who is given out, adopted or taken away to or by any person, together with the name and residence of the person so adopting or taking away such child; and such other information as the board shall prescribe. The licensee of an infants' home shall keep a record in a form to be prescribed by said board wherein shall be entered the name and age of each child received or cared for in such home, together with the names and addresses of the parents and the name and address of the person bringing the child; the name of the physician who attended any sick infant therein; the name and age of each child who is given out, adopted or taken away to or by any person, together with the name and residence of the person so adopting or taking away such child; and such other information as the board shall prescribe.

SEC. 6. *Same; births; deaths.*—Every birth taking place in a maternity hospital shall be attended by a legally qualified physician or midwife. The licensee shall within 24 hours after the birth make a written report of every woman confined and child born upon the premises to the State board of control, together with such additional information as may be required by the board. The licensee, immediately after the death in a maternity hospital or infants' home, of a woman or an infant born therein or brought thereto, shall cause notice thereof to be given to the local board of health of the town in which such home or hospital is located.

SEC. 7. *Same; inspection.*—The officers and authorized agents of the State board of control and of the State board of health and the local boards of health of the towns in which such licensed premises are located may inspect such hospital or home at any time and examine every part thereof. The officers and agents of the State board of control may call for and examine the records which are required to be kept by the provisions of this act, and inquire into all matters concerning such hospital or home and the patients and infants therein; and the officers and authorized agents

of the State board of control shall visit and inspect such hospitals and homes at least once every six months and shall preserve reports of the conditions found therein. The licensee shall give all reasonable information to such inspectors and afford them every reasonable facility for viewing the premises and seeing the patients therein: *Provided, however,* That no patient, without her consent, shall be required to be interviewed by an inspector or agent unless such inspector or agent is a woman or a licensed physician.

SEC. 8. *Same; reporting illegitimacy.*—Whenever a child or a woman who within 10 days has been delivered of a child, or a woman who is pregnant is received for care in a maternity hospital or infants' home, or other public or private hospital, the licensee of such maternity hospital or home, or the officer in charge of such other hospital, shall use due diligence to ascertain whether such child is legitimate, and if there is reason to believe that he is illegitimate or will be illegitimate when born, such licensee or officer shall report to the State board of control, within such [time?] as said board may prescribe, the presence of such woman or child, together with such other information as the board may require.

SEC. 9. *Same; records to be private.*—No officer or authorized agent of the State board of control, the State board of health or the local boards of health of the towns where such licensed hospitals or homes are located, or a licensee of such a hospital or home, or his agent, or any other person shall disclose the contents of the records herein provided for or the particulars entered therein, except upon inquiry before a court of law, at a coroner's inquest or before some other competent tribunal, or for the information of the State board of control, the State board of health or the local board of health of the town in which said hospital is located.

SEC. 10. *Same; relationship.*—In a prosecution under the provisions of this act or a penal law relating thereto, a defendant who relies for defense upon the relationship of any woman or infant to himself shall have the burden of proof.

SEC. 11. *Placing out; records.*—Every person permitted by law to receive, secure homes for or otherwise care for children, shall keep a record containing the names, ages and former residences of all children received; the names, former residences, occupations and character so far as known of the parents; the dates of reception, placing out and adoption, together with the name, occupations and residences of the persons with whom the child is placed; the date and cause of the cancellation of any contract of indenture; the date and cause of any removal to another home; the date and cause of termination of guardianship, and a brief history of each child until he shall have reached the age of 18 years, or shall have been legally adopted or discharged according to law.

SEC. 12. *Same; surrender of parental rights.*—No person other than the parents or a relative may assume the permanent care and custody of a child under 14 years of age unless authorized so to do by an order or decree of court. Except to a maternity hospital as provided by law, and in proceedings for adoption, no parent may assign or otherwise transfer to another his rights or duties with respect to the permanent care and custody of his child under 14 years of age, and any such transfer hereafter made shall be void.

SEC. 13. *Same; notification of State board of control.*—Whenever any person shall place a child in a private home for the purpose of providing the child with a permanent home; and whenever a child shall have been in such a home for a longer period than six months, the person responsible for the placing of the child shall immediately notify the State board of control, giving the name and address of the child, the name of the person with whom the child has been placed, with such other information regarding the child and his foster home as may be required by the board.

SEC. 14. *Same; visitation of children.*—Within 90 days after the receipt of the notice provided for in section 13 the State board of control shall cause the child and the home in which he has been placed to be visited by its agent for the purpose of ascer-

taining whether the home is a suitable one for the child, and shall continue to visit and supervise the case of such child the same as though the child were placed out by the State public school. Whenever satisfied that a child has been placed in an unsuitable home the board may order its transfer, and if said order is not obeyed within 30 days or such shorter time as may be named in the order, the board itself shall take charge of and provide for such child.

SEC. 15. *Same; importation of children.*—No person shall bring or send into the State any child for the purpose of placing him out or procuring his adoption, without first obtaining the consent of the State board of control, and such person shall conform to the rules of the board. He shall file with the board a bond to the State, approved by the board, in the penal sum of \$1,000, conditioned that he will not send or bring into the State any child who is incorrigible or unsound of mind or body; that he will remove any such child who becomes a public charge or who, in the opinion of the board of control, becomes a menace to the community prior to his adoption or becoming of legal age; that he will place the child under a written contract approved by the board that the person with whom the child is placed shall be responsible for his proper care and training. Before any child shall be brought or sent into the State for the purpose of placing him in a foster home, the person so bringing or sending such child shall first notify the State board of control of his intention, and shall obtain from the board a certificate stating that such home is, in the opinion of the board, a suitable home for the child. Such notification shall state the name, age, and personal description of the child, and the name and address of the person with whom the child is to be placed, and such other information as may be required by the board. The person bringing or sending the child into the State shall report at least once each year, and at such other times as the board of control shall direct, as to the location and well-being of the child so long as he shall remain within the State and until he shall have reached the age of 18 or shall have been legally adopted: *Provided, however*, That nothing herein shall be deemed to prohibit a resident of this State from bringing into the State a child for adoption into his own family.

SEC. 16. *Same; exportation of children.*—Before any child is taken or sent out of the State for the purpose of placing him in a foster home, otherwise than by a parent or guardian, the person so taking or sending him shall give the State board of control such notice and information as is specified in section 15, and thereafter shall report to the board at least once each year and at such other times as the board may direct, as to the location and well-being of such child until he shall have reached the age of 18 years or shall have been legally adopted. It shall be the duty of the State board of control to carry out the provisions of this section.

SEC. 17. *Same; written agreement.*—Every person placing a child in a foster home shall enter into a written agreement with the person taking the child, which agreement shall provide that the person placing the child shall have access at all reasonable times to such child and to the home in which he is living, and for the return of the child by the person taking him whenever in the opinion of the person placing such child, or in the opinion of the board of control, the best interests of the child shall require it. The provisions of this section shall not apply to children who have been legally adopted.

SEC. 18. *Corporations caring for children; approval by board of control.*—No association whose object embraces the care of dependent, neglected or delinquent children or the placing of such children in private homes shall hereafter be incorporated unless the proposed articles of incorporation shall have been submitted first to the State board of control. The secretary of state shall not issue a certificate of incorporation unless there shall first be filed in his office a certificate of the board of control that it has examined the articles of incorporation, and that in its judgment the incorporators are reputable persons, that the proposed work is needed, and that the incorporation of such association is desirable and for the public good. Amendments proposed to

the articles of incorporation of any such association shall be submitted in like manner to the board of control and the secretary of state shall not record such amendment or issue his certificate therefor unless there shall first be filed in his office the certificate of the board of control that it has examined such amendment, that the association is, in its judgment, performing in good faith the work undertaken by it, and that such amendment is, in its judgment, a proper one and for the public good.

SEC. 19. *Supervision by board of control.*—It shall be the duty of the State board of control to pass annually on the fitness of every agency, public, semi-public or private, which engages in the business, for gain or otherwise, of receiving and caring for children or placing them in private homes. Annually at such time as the board shall direct every such agency shall make a report showing its condition, management and competency to care adequately for such children as are or may be committed thereto or received thereby, the system of visitation employed for children placed in private homes, and such other facts as the board may require. When the board is satisfied that such agency is competent and has adequate facilities to care for such children, and that the requirements of the statutes covering the management of such agencies are being complied with, it shall issue to the same a certificate to that effect which shall continue in force for 1 year unless sooner revoked by the board. A list of such certified agencies shall be sent by the board at least annually to all juvenile courts and to all the agencies so approved. No agency which has not received such a certificate within the 15 months next preceding, and which certificate remains unrevoked, shall receive a child for care or placing out, or place a child in another home, or solicit money in behalf of such agency. All such agencies shall be subject to the same visitation, inspection and supervision by the State board of control as are the public charitable institutions of this State. For the purposes of this section the term agency means any individual, association or corporation.

SEC. 20. *Same; penalties for violations.*—Every person who violates any of the provisions of this act, shall, upon conviction of the first offense, be guilty of a misdemeanor. A second or subsequent offense shall be a gross misdemeanor.

SEC. 21. The provisions of this act are severable one from another and in their application to the persons and interests affected thereby. The judicial declaration of the invalidity of any provision, or the application thereof, shall not affect the validity of any other provision, or the application thereof.

SEC. 22. *Laws repealed.*—Section 4050, 4985, 4986, 4987, 4988, 4989, 4990, 4991 and 4992, General Statutes, 1913, and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 23. *When to take effect.*—This act shall take effect and be in force from and after the first day of January, 1918.

MISSISSIPPI.

Milk—Production, Care, and Sale. (Reg. Bd. of H., June 20, 1917.)

1. No person, himself or his servant, agent, or employee, or as the servant, agent, or employee, of another, shall sell or deliver for consumption as milk, or have in his possession or custody with intent to sell or deliver for consumption as milk:

(a) Any milk to which water or any foreign substance has been added, which shall then be known as adulterated milk.

(b) Milk concerning which any misrepresentation has been made, orally, by writing, by printing, by signs, marks, labels or otherwise.

(c) Milk produced by diseased cows, or by cows which have been fed unwholesome food or have been furnished contaminated water.

(d) Milk which has been produced, stored, handled, or transported in an improper, unlawful, unclean, or insanitary manner.

2. For the purposes of this order, the term, adulterated milk, shall mean:

(a) Milk containing less than $3\frac{1}{2}$ per cent of butter fat.

(b) Milk containing less than $8\frac{1}{2}$ per cent of solids other than butter fat.

(c) Milk containing any pathogenic or disease germs.

(d) Milk drawn from cows within 8 days before or 5 days after parturition.

(e) Milk from which any part of the cream has been removed.

(f) Milk which has been diluted with water or any other fluid.

(g) Milk to which has been added or into which has been introduced any coloring matter or chemical or preservative or deleterious or filthy substance, or any foreign substance whatsoever.

(h) Milk drawn from cows kept in a filthy or unhealthy condition.

(i) Milk drawn from any sick or diseased cow, or cow having ulcers or other running sores.

(j) Milk drawn from cows fed unwholesome food, brewer's grain, or vinegar slops or swill.

(k) Milk in any stage of putrefication, or showing any abnormal color, consistency, or stringiness.

(l) Milk contaminated by being kept in stables containing cattle or other animals.

3. No person, by himself, or by his servant or agent, or as the servant or agent of any other person, firm, or corporation, shall exchange or deliver within the State of Mississippi any milk, skimmed milk or cream which contains more than 500,000 bacteria per cubic centimeter.

4. Nothing in this order contained, however, shall be so construed as to prohibit the sale of skimmed milk, or of soured milk, if the receptacle containing same, and in which or from which it is sold, is plainly marked with the words, "skimmed milk," or "soured milk," respectively, distinct and conspicuous, permanently attached to the container and above the center of same, and to be of uncondensed Roman letters and in length said letters to be at least one-tenth of the height of the container on which they are placed; or if such skimmed or sour milk shall be contained in glass bottles, then the required words shall be distinctly printed on the top or cover of same and also shall be printed upon a red tag which shall be attached to same.

Dairy regulations.—1. No person shall engage in the production of milk for sale in any town or city, nor shall any person engage in the handling of milk for shipment into any town or city, or to sell for public use milk or by-products, until he has obtained a permit or license from the county health officer. This permit shall be renewed

between the 1st and 15th days of April of each year and may be suspended or revoked at any time by the county health officer, the Mississippi State Board of Health or its agents.

2. The cow stables for the cows supplying milk or milk products for sale shall be well lighted, well ventilated and clean. The entire inside of the dairy barn, including the cow stables, partitions, walls, beams, ceiling and shelves, shall be whitewashed or painted white at least once in each year, and in the spring time, unless construction renders it unnecessary. The floors shall be sound.

3. Every milk farm shall be provided with a milk room that is clean, well lighted and screened, which has no direct connection or entrance to the dairy barn. It shall be used for no other purpose except the cooling, handling, and storage of milk and allied products. Where no separate milk room is provided the milk must be handled under conditions approved by the State board of health.

4. When required by the State board of health, its agents or the county health officer, all dairy cows giving milk for sale, shall be tubercular tested by a competent veterinarian. Every diseased (reacting) cow shall be removed from the herd and no milk from such cows shall be offered for sale. The inspector who makes such tests shall report the name of the owner, postoffice address, and number of positive reacting cows to the State veterinarian.

5. Cows, especially the udders, shall be clean at the time of milking, and the person milking must do so at all times with dry hands or machine.

6. No person shall milk cows, or strain, bottle, distribute, or otherwise handle milk for sale, or the utensils used in the production, handling, or distribution of milk when suffering from or afflicted with, or convalescing from infectious, contagious diseases, who has recently had typhoid fever, or who is suffering from a disease transmissible through milk, or who is nursing or tending to a person ill with an infectious disease.

7. The State board of health, its members, officers, agents and appointees, shall at all times have access to all dairies or other places where milk is produced for sale, and to all establishments, plants, depots and stores wherein milk is kept or stored for sale; and it is unlawful for any person to prevent or attempt to prevent such access and such prevention, or attempted prevention shall be deemed a violation of this order.

8. All manure shall be removed daily from the dairy barn and deposited not within 100 feet where the milk is obtained, handled or stored.

9. Any person, firm, or corporation producing milk or by-products for public consumption in any public place, such as soda fountains, restaurants, or hotels, shall conform to all rules and regulations of the State board of health pertaining to dairies. This regulation applies to every person or corporation, who sells milk, irrespective of the number of cows milked. All regulations conflicting with this regulation are hereby rescinded.

10. Plans and specifications for dairy barns must be approved by the State board of health in every instance, same may be had by writing the secretary of the A. & M. College.

Dairy premises and utensils.—1. The surroundings of every dairy must be kept in a sanitary condition. The utensils used in handling of milk, cream, and by-products, must at all times be kept in a clean and sanitary condition.

2. No person, firm, or corporation shall sell, or offer for sale, milk or milk products which are produced under insanitary conditions.

3. No person or customer with whom milk bottles are left are permitted to use the same for any other purpose except milk.

4. Any person, firm, or corporation, who receives from any dairy, farm, or creamery, any cans, bottles, or other vessels, any milk or cream intended to be sold as food for man, when such cans, bottles or vessels are to be returned, shall cause the said cans, bottles, or vessels to be thoroughly washed and cleansed before return shipment.

5. No person shall deliver milk on streets or any other place so as to expose the same to dust or flies, but it must be delivered in a screened or closed room, or in sealed or covered vessels so as to prevent contamination.

6. At every dairy farm, or where milk is produced or sold, unless underground sewerage exists, there shall be maintained one or more sanitary privies or closets, which shall be built of a type approved by the State board of health or its agents. No urinal shall be adjoined to any room in which milk is handled.

7. Bottles of milk shall not be left with any family in which there is a case of typhoid fever, or any other infectious disease that may be transmitted through milk, but milk may be delivered to such family by pouring it into a vessel furnished by said family.

8. Milk pails, bottles and other containers must be thoroughly washed, scalded and sunned. In handling milk and sunning the vessels, they must be kept protected from flies.

9. All dairies shall be provided with and use small mouth pails for milking.

Creamery regulations.—1. The building in which the creamery is located must be sound, kept in good repair, thoroughly clean, white-washed or painted white inside once each year.

2. All vessels, utensils, including churn and pasteurizer, used in the manufacture of butter, pasteurizing of milk, or the making of ice cream, must be scrupulously clean and free from flies at all times.

3. Creameries must pasteurize all cream and milk used in the manufacture of butter, or ice cream, bringing the same to a temperature of 145 degrees F., and the keeping of same at this temperature for at least 25 minutes or to a temperature of 150 degrees F., and keeping the same at this temperature for 20 minutes before selling or offering for sale any of the finished products in this State. The vessel used for sterilizing cream or milk must be equipped with a thermometer so placed that any person directing the pasteurizing may see that this requirement is complied with.

4. A person, firm, or corporation engaged in producing milk or cream for creameries only, shall not be required to have all cows tested for tuberculosis except when requested by the State board of health or the State live stock sanitary board through their State agents. Nothing in this regulation is to prevent the county health officer, State board of health, or its agents from requesting that all dairy cows be tested for tuberculosis in any county when necessary for those engaged in producing milk or selling the same for public consumption, in any event such milk is not pasteurized as required in these regulations. [sic.]

5. The owner or manager of a creamery shall furnish to the county health officer or any agent of the State board of health, on request, a list of those persons selling milk to the same.

Thermometers Required in Railroad Coaches—Temperature of Coaches. (Reg. Bd. of H., June 18, 1917.)

Whenever necessary to use heat for warming coaches, the railroad authorities shall provide each with a first class thermometer, placed on the wall near the middle of same, and use every effort to maintain a temperature of from 68 to 80 degrees Fahrenheit; this temperature is not to apply to Pullman cars during sleeping hours. In the event that the temperature of the coach falls below minimum or above maximum, as above indicated in this regulation, any complaint on the part of the passengers must be made to the conductor for correction.

MISSOURI.

Milk, Cream, and Ice Cream Receptacles—Cleanliness—Marking and Branding. (Act Apr. 12, 1917.)

SECTION 1. *Receptacles kept clean.*—Every person delivering milk, cream, or ice cream to creameries, cheese factories, common carriers, or any person, persons, co-partnership, association or corporation in cans, bottles, or other vessels, shall have such cans, bottles or other vessels free from deleterious substance, filth, or rust, and in a wholesome condition for containing such milk, cream, or ice cream.

SEC. 2. *Receptacles emptied, cleaned and returned to common carriers.*—Every person receiving milk, cream, or ice cream from a common carrier in cans, bottles, or other vessels which are to be returned to the shipper shall cause such vessels to be promptly emptied, cleansed, and delivered to the common carrier to be returned to the shipper, and it shall be the duty of such common carrier receiving the same to have said cans, bottles, or other vessels in transit within not to exceed 24 hours after receiving the same.

SEC. 3. *Receptacle cleaned and returned to owner.*—Every person receiving milk, cream or ice cream from a manufacturer or distributor of the same in cans, bottles, or other vessels which are to be returned to the manufacturer or distributor, shall cause such vessels, after being emptied, to be promptly cleansed and returned.

SEC. 4. *Receptacles for milk, cream, etc.; brands; certificate.*—Any person engaged in manufacturing, bottling, or selling milk, buttermilk, cream or ice cream in any kind of receptacle, having the name of such person or other mark or device printed, stamped, engraved, etched, blown, painted or otherwise permanently fixed upon the same, may file in the office of the secretary of state for record a description of the name, mark, or device so used; and cause such description to be printed once each week for three successive weeks in a newspaper published in the county in which the principal place of business of such person is located, or if the principal place of business of such person is located in another State, then in the county wherein the principal office or depot of such person within the State of Missouri is located. It shall be the duty of the secretary of state to issue to the person so filing for record a description of such name, mark, or device in his office, to duly attest a certificate of the record of the same, for which he shall receive the fee prescribed by statute for the issuance of certificates. In all prosecutions under this article such certificate shall be prima facie evidence of the adoption and ownership of such name, mark, or device and of the right of the person named therein to adopt and use the same.

SEC. 5. *Receptacles; unlawful use.*—It shall be unlawful for any person other than the one named in the certificate issued by the secretary of state as provided in the last preceding section, without the written consent of the person named in such certificate, to fill any receptacle bearing the name, mark or device recorded as provided in said section with milk, buttermilk, cream, ice cream or any other substance or to deface, erase, obliterate, cover up or otherwise remove or conceal any such name, mark or device on any such receptacle, or to buy, sell, give, take, dispose of in any way, traffic in or destroy any receptacle bearing any such name, mark or device.

SEC. 6. *Receptacles; unlawful possession.*—Any person having in possession or under control any receptacle bearing any name, mark or device recorded as provided in the second preceding section and not holding a written transfer or bill of sale therefor from the person named in the certificate provided for in said section or other authority in writing from such person shall upon demand deliver such receptacle to the person

named in such certificate or to the authorized agent of such person, and any person failing or refusing to so deliver the same when demanded shall be deemed guilty of a misdemeanor.

SEC. 7. *Search warrants; prosecution.*—Whenever any person who has filed for record any such name, mark or device, or who has acquired from such person in writing the ownership of such name, mark or device, or the right to the exclusive use thereof, shall make oath before any justice of the peace or police judge that he has reason to believe and does believe that any receptacle bearing such name, mark or device is being unlawfully used or filled or had in possession by any other person, such justice of the peace or police judge shall thereupon issue a search warrant to discover and obtain such receptacle, and may also cause the person in whose possession such receptacle shall be found to be brought before him and shall then inquire into the circumstances of such possession, and if it shall be found that such person is guilty of violation of any section of this article he shall be punished in the manner herein prescribed, and the possession of the property taken upon such warrant shall be awarded to the owner thereof, but the remedy provided by this section shall not be held to be exclusive, and offenders against any provision of this article may be prosecuted as in case of other misdemeanors.

SEC. 8. *Penalty.*—Any person offending against any provision of this article shall be deemed guilty of a misdemeanor, and upon conviction thereof by a court of competent jurisdiction shall be punished by a fine of not less than \$5 nor more than \$25, and each receptacle unlawfully dealt with as herein provided shall be deemed and held to constitute a separate offense.

SEC. 9. *Definitions; instructions.*—As used in this article, the term "receptacle" shall include not only bottles, siphons, tins, kegs, barrels of all sizes, boxes, ice cream cabinets, cans and tubs, but all other receptacles used for holding any of the commodities named in this article, the singular may include the plural, and the plural may include the singular term, "person" may include corporation, and the requirements for written transfer, bill of sale, authority or consent means that it shall be signed by the person named in the certificate issued by the secretary of state as herein provided, or by a transferee thereof claiming under a written assignment from such person, or by an agent whose authority is in writing, signed by such person or such transferee.

SEC. 10. *"Sale" construed.*—The requiring or taking of any deposit for any purpose upon such receptacle shall not be deemed nor held to be a sale either optionally or otherwise in any proceeding under this article.

Hotels—Lighting—Ventilation—Water-Closets and Privies—Individual Towels—Bedding—Cleanliness—Inspection. (Act Apr. 10, 1917.)

* * * * *

SEC. 6729 [Revised Statutes of Missouri, 1909]. Every hotel in this State shall be properly plumbed, lighted and ventilated, and shall be conducted in every department with strict regard to health, comfort and safety of the guests: *Provided*, That such proper lighting shall be construed to apply to both daylight and illumination, and that such proper plumbing shall be construed to mean that all plumbing and drainage shall be constructed and plumbed according to approved sanitary principles, and that such proper ventilation shall be construed to mean at least one door and one window in each sleeping room. No room shall be used for a sleeping room which does not open to the outside of the building or upon light wells, air shafts or courts, and there must be at least one window with opening so arranged as to provide easy access to the outside of the building, light wells or courts.

SEC. 6730. In all cities, towns and villages where a system of waterworks and sewerage is maintained for public use, every hotel therein operated shall, within six months after the passage of this act, be equipped with suitable water-closets for

the accommodation of its guests, which water-closet or closets shall be ventilated and connected by proper plumbing with such sewerage system, and means of flushing such water-closet or closets with the water of said system, in such manner as to prevent sewer gas or effluvia from arising therefrom. All lavatories, bath tubs, sinks, drains, closets and urinals, in such hotels must be connected and equipped in a similar manner both as to methods and time, and all such lavatories, bath tubs, sinks, drains, closets and urinals shall be kept in a clean and sanitary condition. Separate water-closets shall be furnished for sexes, each being properly designated.

SEC. 6731. In all cities, towns, and villages not having a system of waterworks, every hotel shall have properly constructed privies or overvaults to receive the night soil, the same to be kept clean and well ventilated at all times and free from foul odors, and shall be kept in a clean and sanitary condition. Separate apartments shall be furnished for sexes, each being properly designated.

SEC. 6732. Each hotel in this State shall be provided with a main public washroom, convenient and of easy access to guests.

SEC. 6733. All hotels in this State shall hereafter, in the main public washroom, in view and reach of guests during the regular meal hours, and where no regular meal hours are maintained, then between the hours of 6.30 a. m. and 9 a. m., and 11.30 a. m. and 2 p. m., and 6 p. m. and 8 p. m., and in each bedroom, furnish each guest with clean individual towels so that no two or more guests will be required to use the same towel unless it has been first washed. Such individual towels shall be not less than 10 inches wide and 15 inches long after being laundered.

SEC. 6734. All hotels hereafter shall provide each bed, bunk, cot or other sleeping place for the use of guests with pillow slips and under and top sheets. Each sheet shall be made 99 inches long and of sufficient width to completely cover the mattress and springs: *Provided*, That a sheet shall not be used which measures less than 95 inches after being laundered. Said sheets and pillow slips shall be made of white cotton or linen, and all such sheets and pillow slips after being used by one guest must be washed and ironed before they are used by another guest, a clean set being furnished each succeeding guest.

SEC. 6735. All bedding, including mattresses, quilts, blankets, pillows, sheets and comforts, used in any hotel in this State must be thoroughly aired, disinfected and kept clean: *Provided*, That no bedding, including mattresses, quilts, blankets, pillows, sheets or comforts, shall be used which is worn out or is unfit for further use: *Provided further*, That after six months from the passage of this act no mattress on any bed, bunk or cot in a hotel shall be used which is made of moss, seagrass, excelsior, husks or shoddy. Any room in any hotel infested with vermin or bedbugs shall be fumigated, disinfected and renovated until such vermin or bedbugs are exterminated. All carpets and equipment used in hotels, as well as the walls and ceilings must be kept in a clean and sanitary condition.

SEC. 6736. In every hotel the kitchen, dining room, cellar, ice boxes, refrigerators and all places where foods are prepared, kept or stored shall be kept clean and in a sanitary condition.

SEC. 6737. It is hereby made the duty of the hotel inspector to inspect or cause to be inspected, at least once annually and as often thereafter as he may deem necessary every hotel in the State, and for that purpose he shall have the right of entry and access thereto at any reasonable time. Whenever, upon such inspection, it shall be found that such business and property so inspected is not being conducted, or is not equipped in the manner and condition required by the provisions of this act, it shall thereupon be the duty of the hotel inspector to notify the owner, proprietor or agent in charge of such business, or the owner or agent of the building so occupied, of such changes or alterations as may be necessary to effect a complete compliance with the provisions of this act. It shall thereupon be the duty of such owner, proprietor or agent in charge of such business, or such owner or agent of the building so occupied to make such

alterations or changes as may be necessary to put such building and premises in a condition that will fully comply with the provisions of this act: all permanent repairs and alterations to the building and premises to be made by the owner thereof: *Provided, however,* That 30 days' time after receipt of such notice shall be allowed for conforming to the requirements of this act. If at the expiration of the required notice such owner or agent of the building so occupied refuse or fail to comply with said sections mentioned in such notice, then it shall be the duty of the hotel inspector to close said hotel until such requirements are complied with.

* * * * *

Foundries—Toilet Room Requirements—Elimination of Injurious Fumes and Dust—Inspection. (Act Apr. 10, 1917.)

SECTION 1. That section 1 of an act approved March 19, 1913, found in laws of 1913, page 401, be and the same is hereby amended by inserting between the word "cold" and the word "water" in line 5 after the comma, the words "shower baths," so that said section and said act as amended shall read as follows:

SECTION 1. Every corporation, company or person in this State engaged in operating any foundry in which 10 or more men are employed is hereby required to provide suitable toilet rooms, containing washbowls or sinks provided with running water, hot and cold, shower baths, water-closets[sic] connection with running water and a suitable room or place wherein the men may change their clothes, said room to be directly connected with the foundry building, properly heated, ventilated and protected with a suitable locker or place to properly change his clothing or wearing apparel.

SEC. 1a. * * * Every corporation, company or person engaged in operating any such foundry shall provide and maintain adequate and efficient devices for carrying off all poisons or injurious fumes, gases and dust from such foundry.

SEC. 2. The State factory inspector is hereby required to at least twice a year thoroughly inspect each foundry in this State wherein 10 or more men are employed, and the State factory inspector shall have the power and authority by order to require the provision of section 1 to be carried out.

SEC. 3. Any corporation, company or person failing to comply with an order made by the factory inspector to provide the facilities enumerated in section 1 of this act shall be fined not less than \$50.

MONTANA.

State Board of Health—Child Welfare Division—Creation and Duties—School and Public Health Nurses. (Ch. 121, Act Mar. 3, 1917.)

SECTION. 1. That a child welfare division be, and the same is hereby created, which shall be under the direct supervision of the State board of health.

SEC. 2. The duties of this division shall be to make and enforce regulations; to carry on a campaign of public health education and to take all possible steps for the better protection of the health of the children of the State.

SEC. 3. School boards may employ in their discretion regularly qualified nurses, duly registered in the State of Montana, to act as school nurses. In sparsely settled communities, two or more school boards may unite and employ a school nurse, the salary of such nurse being paid *pro rata* according to the assessed valuation in the school districts.

SEC. 4. County commissioners are hereby authorized, at such time as they deem necessary, to employ regularly qualified nurses, to be known as county nurses, for duties under the child welfare division.

SEC. 5. The superintendent of public instruction, and the secretary of the State board of health, as soon as possible after the passage of this act, shall meet and formulate rules and regulations governing the work of school, county and public health nurses, which rules and regulations, when regularly passed by the State board of health, shall invest the said State board of health with full power of supervision and regulation of said school and county and public health nurses.

SEC. 6. The State board of health, through its child welfare division, shall prepare and distribute to the school, county and public health nurses all necessary report blanks.

SEC. 7. The secretary of the State board of health, subject to the approval of said board, shall employ such officers as may be necessary to carry out the provisions of this act.

SEC. 8. Nothing in this act shall be construed or operate so as to interfere in any way with the exercise of the child's or parent's religious belief, as to the examination for, or in the treatment of, diseases: *Provided*, That quarantine regulations relating to contagious or infectious diseases are not infringed upon.

Public Health Nurses—Duties. (Reg. Bd. of H., Apr. 5, 1917.)

1. Public health nurses employed by city or county, philanthropic or industrial organizations shall be registered nurses of Montana; and on receiving appointment to such positions shall notify the State board of health of said appointment giving full name and address.

2. Those employed by towns or cities shall make home to home visits, giving actual bedside care, when necessary, and giving instruction in simple nursing service, hygiene and sanitation. (Calls must not exceed an hour in duration, unless absolutely necessary. However, in the observance of this rule the nurse is allowed discretionary power.)

3. The nurse responds to every call but is not allowed to continue on a case unless a doctor is in attendance; except in cases of chronic patients, when the nurse follows original instructions of doctor.

4. In their work for doctors, nurses are required to adhere to the etiquette of their profession and are not allowed to prescribe in any case. (However, when out of communication with doctors, emergencies must be met.)

5. The nurse must feel her responsibility in the sanitary conditions of the city, and report violations to the proper authorities. She must teach everywhere the relation between disease and insanitation.

6. The nurse should learn the agencies of her community and cooperate with proper authorities to improve the living conditions of her people. In cases of poverty, unemployment, overwork, bad housing, underfeeding and such conditions, she can assist by cooperating with church, charity and fraternal organizations.

7. Neglected and ill-treated children should be reported to the nearest deputy of child and animal protection bureau.

8. In outbreaks of contagious disease, (a) the nurse makes house to house investigations, to find early and missed cases.

(b) The nurse inspects and reports observance of quarantine. She instructs as to what constitute quarantine, proper disinfection of bed linen and clothing, of human excreta, and good, general nursing care.

(c) The nurse must wear cap and gown and would suggest that she also wear rubber gloves to handle patient. She should use proper disinfection of nasal passages and mouth after calls.

(d) The nurse is deputy of local health officer and makes her daily reports to local board of health and monthly reports to State board of health on blanks furnished by the child welfare division.

9. County nurses may at the discretion of the county commissioners be required to perform the duties of the school nurse in one or more of the school districts of the county.

10. In order to secure uniformity of reports, the standard visiting nurse record cards should be used by all city or county nurses.

School Nurses—Duties. (Reg. Bd. of H., Apr. 5, 1917.)

REGULATION 1. As soon as a school nurse is appointed by any district, she must notify in writing the director of the child welfare division of the State board of health of her name and address.

REG. 2. The school nurse shall be under the direct supervision of the superintendent of school or schools where she is employed, and shall furnish the superintendent with such reports as he or she may direct.

REG. 3. It shall be the duty of the school nurse to make an examination of the children in the school or schools where she is employed and to notify the parents or guardians of the children of the physical defects and diseases from which the children appear to be suffering, and she shall call upon such parents or guardians and explain to them the nature of the defects or diseases from which the children appear to be suffering and in a tactful way advise that their family physician be consulted. The nurse must be careful not to advise the services of any one physician to the exclusion of the other physicians.

REG. 4. For infectious or contagious diseases, see general quarantine regulations No. 39.

REG. 5. On notification by the superintendent or teachers of the absence from school of any child without a known cause, the school nurse, shall, as soon as possible, visit the home of such child, and if the child is found sick and gives symptoms of having a contagious disease, the nurse shall immediately notify the local health officer.

REG. 6. The school nurse shall notify the local board of health of any grossly insanitary condition in the community which she may find, and failing to have such condition remedied by the local authorities, she shall notify the State board of health.

REG. 7. The school nurse shall make a monthly report to the child welfare division of the State board of health on blanks furnished by that division.

Foods, Drugs, Candies, etc.—Publication of List of Those Found to be Adulterated or Misbranded. (Ch. 103, Act Feb. 27, 1917.)

SECTION 1. It shall be the duty of the State board of health to furnish to the clerk of each county in the State a certified list of the adulterated and misbranded foods, and products entering into the preparation of foods, beverages, candies, drugs, and all other products and preparations under the jurisdiction of said board of health, as found by the analysis and investigation of said board. Said list shall show the brand and name of the article, the manufacturer or jobber, and the reason for classing the same as illegal, together with any necessary comments thereon. The county clerk of each county, where said misbranded food is found, shall cause the said list to be printed in the official papers of such county. Such publication shall be made not more than four times each year and shall be paid for by such county at the rate allowed by law for publishing the proceedings of the board of county commissioners: *Provided*, That whenever the board of health or their assistants shall discover any foods, beverages, candies, drugs or other products or preparations under the jurisdiction of said board to be adulterated or misbranded, the said board of health shall immediately notify the party responsible for placing the same upon the market and said party shall have 10 days in which to show cause why the results of said investigation or analysis should not be published.

Water Supplies—Analysis. (Ch. 126, Act Feb. 27, 1917.)

SECTION 1. That the State board of health shall make and publish in the monthly bulletin of that board, rules and regulations for the collection of samples and analysis of water either natural or treated, furnished by municipalities, corporations, companies, or individuals to the public and shall fix the fees for such services rendered under said rules and regulations to cover the cost of the service.

SEC. 2. That the fees collected by the State board of health under this act shall be turned over to the State treasurer, who shall place them in the State board of health maintenance fund and as much as is necessary of this fund shall be used for the State board of health water and sewerage laboratory, and the State auditor shall draw his warrant for claims against this fund after such claims have been approved by the State board of examiners: *Provided, however*, That this fund shall not be expended except after due appropriation.

SEC. 3. That every corporation, railway, common carrier company, or individual that shall fail to comply with the regulations prescribed by the State board of health under this act, shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$50 nor more than \$500.

Water for Domestic Use—Notice to Boil Raw Untreated Water Required. (Reg. Bd. of H., Oct. 4, 1917.)

REG. 116. Municipal authorities, water company officials, employees in charge of pumping stations or water plants furnishing water for domestic use where water is subjected to sedimentation, filtration or disinfection, in order to insure a safe supply, shall not discontinue the use of sedimentation basin, nor of the filter bed, nor of the disinfection, and permit raw untreated water to enter the supply mains without first giving due notice to all patrons and advising boiling of the water for such time as the raw water is being used.

Water and Ice Supplies—Prevention of Pollution. (Ch. 26, Act Feb. 15, 1917.)

SECTION 1. That section 1564 of the Revised Codes of 1907, as the same appears after amendment by chapter 66, the session laws of the twelfth legislative assembly, be and the same is hereby amended so as to read as follows:

SEC. 1564. That no sewerage, drainage, refuse or polluting matter, of such kind and amount as either of itself or in connection with other matter, will corrupt, pollute

or impair the quality of the water of any spring, pond, lake or stream used as a source of water or ice supply by a city, town or Federal, State or county institution or water or ice company for domestic use, or render it injurious to health, and no human excrement shall be discharged into any such stream, spring, lake, pond or upon their banks or into any feeders of such spring, lake, pond or stream unless such sewerage, drainage, refuse or polluting water shall at the discretion of the State board of health have been purified, so as to render it harmless in such a manner and under such conditions and restrictions as the State board of health may direct.

Wall Paper—Removal of Old Paper Before Repapering. (Ch. 160, Act Feb. 28, 1917.)

SECTION 1. That whenever the paper or substitute wall covering on the ceiling or walls of a room in any dwelling, tenement or apartment house, or house owned or maintained for rental purposes, has become loosened so as to be in danger of collecting and retaining dust, germs, vermin or filth, the same shall be removed, the walls and ceilings thoroughly cleaned before new wall paper or substitute wall covering shall be put thereon.

SEC. 2. That no wall paper or substitute wall covering shall be placed upon the walls or ceiling of any room where there has been a case of contagious or infectious disease until all wall paper and substitute wall covering thereon has been entirely removed, and the walls and ceilings thoroughly cleansed, oil painted walls and ceilings excepted.

SEC. 3. The county board of health in each county of this State shall have power to examine into the enforcement of this act in any city, town or elsewhere within their respective county: *Provided*, That in cities or towns where a board of health is established, then such city board of health shall have such power to examine into the enforcement of this act within the boundaries of such city or town.

SEC. 4. That any person or persons who violates any of the provisions of this act, or who shall cause any person or persons to violate any section of this act, shall be deemed guilty of a misdemeanor.

NEBRASKA.

State Department of Health—Establishment—Advisory Board—State Health Officer—Bureaus and Divisions—Employees. (Ch. 181, Act Apr. 5, 1917.)

SECTION 1. *Health department.*—The State department of health shall consist of the governor, attorney general, and superintendent of public instruction. The governor shall be ex-officio chairman of said board, and the State superintendent shall be secretary.

SEC. 2. *Meetings.*—Said department shall meet upon the call of the governor as often and at such times as the governor may from time to time designate.

SEC. 3. *Officers; appointment; salaries, etc.*—Within 30 days from the time this act shall take effect the State department of health shall appoint a State health officer who shall hold office for a period of four years, unless sooner removed for cause. Such officer shall receive a salary of \$3,000 per year, and shall be the deputy executive officer of the State department of health. He shall be a graduate of at least five years standing from a well recognized medical college and registered or eligible to registration in Nebraska. He shall have had experience in public health work and shall receive his appointment from the State department of health.

SEC. 4. *Advisory board.*—There shall be an advisory board to the State department of health, consisting of four members who shall be graduated physicians of at least seven years consecutive practice; who shall be at the time of their appointment actually engaged in practice in the State of Nebraska; one of whom shall be appointed for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years, and thereafter appointments shall be made for four years as these appointments expire unless the appointees are sooner removed for cause. Two of the members of this advisory board shall be physicians of the so-called regular school, one of the so-called eclectic school, and one of the so-called homeopathic school. The governor shall appoint each member of the advisory board and shall fill all vacancies on said board.

SEC. 5. *Same; duty.*—The advisory board shall, when called upon by the State department of health, give counsel to said State department and meet with said department when so requested.

SEC. 6. *Power and duty of department of health.*—The State department of health shall have power and it shall be its duty, to see that all the provisions of this act and all other acts relating to the public health and sanitation of the State are strictly enforced, to summon witnesses and take testimony in the same manner as witnesses are summoned and depositions taken under the code of civil procedure, or to delegate the same to the advisory board or other persons at its discretion. The department of health shall have power to grant certificates as provided by law, and to cause to be prosecuted all violations of the health and sanitation laws of the State. The department shall have the right at all times to inspect the equipment and methods of teaching in all medical colleges and medical schools of the State, and shall have the power to refuse examination to the graduates of any school, which on proper notice and hearing, shall be adjudged not a medical college or a medical school in good standing, as defined by law of this State. The department shall have and use a common seal and adopt all necessary rules, regulations, and by-laws not inconsistent with the constitution and laws of this State or of the United States, to enable it to perform its duties and to transact its business. It shall have power through its deputy officer to perform any and all of its duties and to call to its assistance the advisory board or any other persons thought fit; except that the examination for licenses to practice medicine shall be conducted by the advisory board.

SEC. 7. *Quorum*.—A majority of its members shall constitute a quorum of the department of health.

SEC. 8. *Bureau of epidemiology*.—There shall be organized under the authority of the State department of health a bureau of epidemiology, a bureau of public health engineering and bureau of vital statistics.

SEC. 9. *Same; chief of bureau*.—The bureau of epidemiology shall be placed in charge of the chief, who shall be appointed by the State department of health. Said chief shall be a graduate physician from a well recognized medical college and shall be registered or eligible to registration in the State of Nebraska and shall have had experience in public health work. He shall hold his position for a period of four years, unless sooner removed for cause and shall receive a salary of \$2,500 per year.

SEC. 10. *Bureau of engineering*.—The bureau of public health engineering shall be placed in the charge of a chief who shall be appointed in the same manner as the chief of the bureau of epidemiology, shall hold his position for a period of four years unless sooner removed for cause and shall receive a salary of \$2,000 per annum.

SEC. 11. *Bureau of statistics*.—The bureau of vital statistics shall be placed in charge of a chief statistician, appointed in the same manner as the chief of the bureau of epidemiology, with the same tenure of office, and shall receive a salary of \$1,200 per annum.

SEC. 12. *Power and duty of bureau chiefs*.—The powers and duties hitherto belonging to the State health inspector under the law of this State are hereby made the powers and duties of the chief of the bureau of epidemiology. He shall also be responsible for the collection of morbidity reports, and the control of preventable diseases, the work of the diagnostic laboratory and supervision of the activities of local health authorities.

SEC. 13. *Same; bureau of engineering*.—The chief of the bureau of public health engineering shall be responsible for the activities concerned in the maintenance of the purity of water supplies, the disposal of sewage, garbage and trade wastes, and the laboratory work required in the analysis of water and sewage.

SEC. 14. *Same; vital statistics*.—The chief of the bureau of vital statistics is made responsible for the collection of birth and death certificates, marriage and divorce reports, and the compilation and tabulation of information relating to the public health.

SEC. 15. *Laboratories*.—The State department of health shall maintain a laboratory divided into two parts, the diagnostic and the water and sewage laboratories. The former shall be a division of the bureau of epidemiology and the latter a division of the bureau of public health and engineering.

SEC. 16. *Duties of department*.—It shall be the duty of the State department of public health, in addition to other duties provided by law, to secure and maintain in all parts of the State an efficient registration of births and deaths and official record and a notification of reportable diseases; to provide popular literature upon the different branches of public health and distribute the same free throughout the State in a manner best calculated to promote that interest; to prepare and exhibit in the different communities of the State public health demonstration, accompanied by lectures and moving pictures and in all other effective ways to prevent the origin and spread of disease and promote the general public health.

SEC. 17. The following schedule of personal salaries and expenses is hereby established:

- 1 State health officer, at \$3,000 per annum.
- 1 epidemiologist, at \$2,500 per annum.
- 1 sanitary engineer, at \$2,000 per annum.
- 1 bacteriologist, at \$2,400 per annum.
- 1 statistician, at \$1,200 per annum.
- 1 laboratory attendant, at \$840 per annum.

4 clerks and stenographers, at \$3,360 per annum.

Maintenance of health department including traveling expenses, laboratory expenses, printing, etc., \$10,000.

Total, \$25,300 per annum.

SEC. 18. The State department of health shall keep an accurate account of all its expenses of whatever nature in such form as to show the cost of maintaining any bureau, office, activity, or item upon brief examination.

SEC. 19. Wherever the term of "state board of health" is used in Nebraska Statutes it shall be construed to mean the state department of health, wherever it reads "medical examining board" it shall be construed to mean advisory board of secretaries,

SEC. 20. That sections 2710, 2711, 2712, 2713, 2714, 2715, 2716, 2739, 2741, 2742, 2850, 2851, 2852, and 2853, Revised Statutes of Nebraska, for 1913, are hereby repealed.

Visiting Community Nurse—Employment—Duties—Tax Levy for. (Ch. 209, Act Apr. 12, 1917.)

SECTION 1. *City community nurse; employ.*—Any city by its mayor and council, or by its commission, any village by its village board, any county by its board of supervisors or commissioners, or any township, by its electors, in the State of Nebraska shall have power to employ a visiting community nurse who shall do and perform such duties as such city, village, county or township, by their officials and electors shall prescribe and direct; and said city, village, county or township shall have the power to levy a tax, not exceeding 5 mills on the assessed valuation of the taxable property of said city, village, county, or township, for the purpose of paying the salary and expenses of said nurse; and said city, village, county, or township shall have the power to constitute and empower such nurse with police power to carry out the order of such city, village, county or township organization: *Provided*, That in cities of the metropolitan class, the city council may employ a visiting nurse or employ any visiting nurses' association or any charitable or philanthropic association to perform the duties contemplated in this section, subject to the supervision of the city council, and to pay the expense of such employment out of the general funds of the city.

SEC. 2. *Same; salary; tax for.*—Whenever petitions signed by 25 per cent of the electors of a city, county, or village shall be presented to the city council, board of supervisors or commissioners or trustees praying for the submission of the question of making a levy to provide for salary and expenses of said nurse, and stating the amount of the levy and the period of years in which the same shall be made, it shall be the duty of said council, board of supervisors or commissioners or village board to submit the question to a vote of the people at a regular or special election called for that purpose. If the question is submitted at a special election, three weeks' notice of said special election shall be given by publication in some newspaper of general circulation which said notice shall be published three consecutive weeks, if the election is in a city or village; or if in a village and no paper is published therein, then said notice shall be posted in three of the most public places in said village.

If a majority of the votes cast at such election on said question be in favor of said levy, then the regularly constituted authorities of said city, county or village shall include the same in the estimate for expenses for each year during the period for which adopted unless the same shall be revoked and the tax shall be levied and collected in the same manner as other taxes are levied and collected.

SEC. 3. *Acceptance of act; election.*—Whenever a petition signed by the per cent of the electors, required in section 2, shall be presented to the city council, county board or village trustee praying for the resubmission of the question of making a levy under this act, it shall be the duty of said body to resubmit the question in the same manner as provided by section 2. If a majority of the votes cast at such election favor the

discontinuance of said levy, the same shall be discontinued. If a majority favor its continuance, then it shall be continued for the period which has been approved by the electors at the election.

Births and Deaths—Registration—Duties of Local Officials. (Ch. 57, Act Mar. 28, 1917.)

SECTION 1. *Amendment.*—That section 2750, revised statutes for 1913, is hereby amended to read as follows:

2750. SEC. 41. *Vital statistics; registrar; duties; reports.*—Subregistrars shall deliver all certificates of births and deaths filed with them during each month to the local registrar to whom they are directed to report on or before the third day of the following month. Local registrars shall, on the 5th day of each month deliver to the county clerk duplicate copies of the original certificates filed with them and those delivered to them by the subregistrars during the preceding month, and include a statement card showing the number returned by each subregistrar, and also a statement that no unregistered births or deaths have occurred within their respective districts. The county clerk shall compare and verify the duplicate certificates thus received, forward one copy thereof within three days of its receipt, to the State registrar and file the other copy in his office. The county clerk shall on or before the 10th day of each month record the contents of the certificates so filed in a special permanent record book approved by the State registrar and provided by the county which shall be kept as a permanent record of the births and deaths in the county. In case no birth or death has occurred, then the local registrar shall so report on a card provided for that purpose: *Provided*, That in counties having cities of the metropolitan and first-classes, the local registrar shall forward copies of certificates in place of the originals to the State registrar instead of to the county clerk: *Provided, further*, That the local registrar shall receive the same fees for transmitting such certificate to the county clerk as provided by law for transmitting them to the State registrar.

SEC. 2. *Repeal.*—That said original section 2750, revised statutes for 1913, is hereby repealed.

NEVADA.

Communicable Diseases—Epidemics—Emergency Fund Appropriated. (Ch. 100, Act Mar. 14, 1917.)

SECTION 1. The sum of \$10,000 is hereby appropriated, from the general fund in the treasury of the State of Nevada not otherwise appropriated, as an emergency fund to be expended by the State board of health, subject to the approval of the governor, when it appears to the State board of health and the governor that a great menace to the public health and safety exists and is beyond the control of the county, municipal or other local authorities.

SEC. 2. All claims incurred in carrying out the provisions of this act shall be paid in the same manner as other State claims are paid.

State Rabies Commission—Creation—Duties—Appropriation. (Ch. 51, Act Mar. 8, 1917.)

SECTION 1. That for the purpose of cooperating with the biological survey of the U. S. Department of Agriculture, for the control and eradication of rabies and noxious animals within the State of Nevada, there is hereby created the State rabies commission, consisting of the governor and four members to be appointed by the governor, one of whom shall be the director of the State veterinary control service, who shall act as secretary of the commission without extra compensation as such, and one each to be appointed from the State board of sheep commissioners, the State board of stock commissioners, and the State board of health. The governor shall be ex officio chairman of said commission. The members of said commission shall serve without salary, but shall be allowed their traveling and living expenses while attending meetings, or otherwise directly engaged in such control or extermination work.

SEC. 2. For the cooperative support of the work of control and eradication of rabies and noxious animals as aforesaid there is hereby appropriated \$35,000 annually for each of the fiscal years 1917 and 1918, from any moneys in the State treasury not otherwise appropriated. For said fiscal years 1917 and 1918 an ad valorem tax of two cents on each \$100 of taxable property in the State of Nevada is hereby levied and directed to be collected upon all such taxable property in the State, including net proceeds of mines, the proceeds of which shall be placed in a special fund in the State treasury for the purpose of meeting the appropriation heretofore provided for in this section. All claims against said fund and appropriation shall be approved by the chairman and secretary of said commission and by said board of examiners.

SEC. 3. It shall be the duty of said commission to enter into a definite agreement with said biological survey, prescribing the manner, terms, and conditions of such cooperation, and the amounts which the State and Federal Government will respectively contribute thereto, for each of said fiscal years, and said commission in its work under the provisions of this act shall be governed by said agreement.

Butter and Ice Cream—Sale—Inspection—Regulations. (Ch. 151, Act Mar. 23, 1917.)

SECTION 1. For the purposes of this act butter and ice cream shall be classified as "wholesome" or "impure." Wholesome butter or ice cream is hereby defined to be butter or ice cream made from cream and milk wherein the entire procedure from dairy to creamery, or other place of manufacture, of such product or products, is conducted under sanitary conditions; and wherein the milk or cream has either been produced by cows all of which have been duly certified by some reputable

veterinarian as free from tuberculosis, or, if not so certified, wherein such milk or cream has been pasteurized as hereinafter prescribed. "Impure" butter or ice cream is hereby defined to be all butter or ice cream other than that which is "wholesome" as above defined. "Pasteurized" milk or cream, within the meaning of this act, shall be construed to be milk or cream which has been pasteurized by the holding process at a temperature of not less than 140 degrees Fahrenheit for 25 minutes, or the continuous flash process at a continuous temperature of not less than 170 degrees Fahrenheit, and which has not thereafter been exposed to recontamination. Pasteurizing plants shall be equipped with a self-registering device for record of the time and temperature of pasteurizing. Such record shall be kept for two months and be available for inspection by any health officer or person charged with the enforcement of this act.

SEC. 2. It shall be unlawful for any person, firm or corporation to sell or exchange, or offer or expose for sale or exchange for human consumption, any impure butter or ice cream. Imported butter from States having similar laws, if made by creameries, dairies or farms recognized by the authorities of such States as manufacturing wholesome butter, and imported pasteurized butter from States not having similar laws, but the makers of which shall have satisfied the department of food and drug control that such butter conforms to the requirements of this act, shall be regarded as wholesome if offered for sale or exchange in this State. All other imported butter shall be deemed impure. Any person, firm or corporation violating the provisions of this section shall be deemed guilty, for the first offense, of a misdemeanor, and for any subsequent offense, of a gross misdemeanor, and upon conviction shall be punished as now provided by law for such offenses. From and after the date on which this section goes into effect all impure butter and ice cream offered for sale or exchange, for human consumption, shall be subject to confiscation by the police authorities and destroyed.

SEC. 3. The inspection of butter and ice cream under the provisions of this act, and the determination of the same as wholesome or impure, are hereby made duties of the department of food and drug control, public service division, University of Nevada, and which said department is hereby given all necessary authority and power for such inspection and determination and may employ such inspectors or agents therefore as may be needful within any appropriation for such purposes provided. On complaint by such department of the violation of section 2 of this act by any person, firm or corporation it shall be the duty of the district attorney of the county in which such violation is alleged to have occurred to institute criminal proceedings against the party or parties complained of and to prosecute the same in the proper courts.

SEC. 4. Such department of food and drug control is hereby authorized and empowered to make and enforce such reasonable rules and regulations, within the meaning and purposes of this act, as may be needful in its administration, and which may include the sanitary production, care and handling of milk and cream used in the making of butter or ice cream: *Provided*, That such last-mentioned rules and regulations shall first be approved by the director of the agricultural extension division, University of Nevada. Said department, prior to June 1 next after passage of this act, shall supply local dealers in butter and ice cream with a list, classified as makers of wholesome or impure butter or ice cream, of persons, firms and creameries commonly supplying butter and ice cream for local consumption, and from time to time thereafter shall supply such dealers with additions to, or alterations in, such classifications.

SEC. 5. The provisions of this act shall not apply where the butter or ice cream is retailed by the maker in quantities not exceeding 250 pounds per month.

SEC. 6. Section 2 of this act shall take effect July 1, 1917; all other sections of this act shall take effect immediately upon its approval.

Foodstuffs—Adulteration. (Ch. 168, Act Mar. 23, 1917.)

SECTION 1. Section 4 of the above-entitled act [An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating the manufacture and traffic therein, and providing penalties, and making an appropriation for the carrying out of this act, approved March 13, 1909] is hereby amended to read as follows:

SEC. 4. Food shall be deemed adulterated, within the meaning of this act, in any of the following cases:

First. If any substances have been mixed or packed, or mixed and packed, with the food so as to reduce or lower or injuriously affect its quality, purity, strength or food value.

Second. If any substance has been substituted wholly or in part for the article of food.

Third. If any essential or any valuable constituent or ingredient of any article of food has been wholly or in part abstracted.

Fourth. If it be mixed, colored, powdered, coated or stained in any manner whereby damage or inferiority is concealed.

Fifth. If it contain any added poisonous or other added deleterious ingredient.

Sixth. If it consists in whole or in part of a filthy, decomposed or putrid animal or vegetable substance, or any portion of an animal or vegetable unfit for food, whether manufactured or not, or if it consists in whole or in part or is the product of a diseased animal, or one that has died otherwise than by slaughter: *Provided*, That an article of liquor shall not be deemed adulterated, mislabeled or misbranded if it be blended or mixed with like substances so as not to injuriously reduce or injuriously lower or injuriously affect its quality, purity of [or?] strength.

Seventh. If, in the manufacture, sale, distribution or transportation, it is not at all times securely protected from filth, flies, dust or other contamination or other unclean, unhealthy or unsanitary conditions.

Eighth. In the case of confectionery: If it contain terra alba, barytes, talc, chrome yellow, or other mineral substance or poisonous color or flavor, or other ingredient, deleterious or detrimental to health, or vinous, malt or spirituous liquor; or compounds or narcotic drug.

Ninth. In the case of vinegar: If it be artificially colored.

SEC. 2. Section 19 of the above-entitled act is hereby amended to read as follows:

SEC. 19. Whenever the commissioner or his agents shall have ground for suspicion that any article of food, found in possession of any person, firm or corporation, is adulterated or misbranded within the meaning of this act, he may seize such article of food and make an inventory thereof, and shall leave a copy of such inventory with the party holding such suspected goods, and tag the same "suspected"; and he shall notify in writing the person, firm or corporation in whose possession it may be found not to offer the same for sale or sell or otherwise dispose of the same until further notice in writing from the commissioner, and it shall be unlawful for any person, firm or corporation so notified as aforesaid to offer any such goods for sale until the same has been released by the commissioner or his agent. Such seizure may be had without a warrant and said commissioner, and all inspectors and agents appointed pursuant to law, are hereby given full power and authority of policemen. When it shall appear from any such examination or analysis made by an analyst of the Nevada agricultural experiment station that such sample of food, liquor or drug is adulterated, mislabeled or misbranded within the meaning of this act, the said commissioner shall furnish a notice of the fact, together with a copy of the certificate of findings, by registered mail to the party or parties from whom the sample was obtained or who executed the guarantee as provided for in this act, and a date, hour and place shall be fixed by said commissioner

at which said party or parties may be heard before him, under such rule and regulations as may be prescribed by said commissioner. The receipts of the postoffice department for such registered notice shall be received as prima facie evidence that such notice has been given. Parties interested therein may appear in person or by attorney and may propound interrogatives and submit oral or written evidence to show any fault or error in the findings of the analyst or examiner. If the examination or analysis be found correct or if the party or parties fail to appear at such hearing after notice duly served, as provided herein, the commissioner shall forthwith transmit a certificate of the facts so found to the district attorney of the county in which said adulterated, misbranded or mislabeled food, liquor or drug was found. No publication as in this act provided shall be made until after said hearing is concluded.

SEC. 3. All acts and parts of acts in conflict herewith are hereby repealed.

SEC. 4. This act shall take effect January 1, 1918.

Habit-Forming Drugs—Sale and Dispensing. (Ch. 187, Act Mar. 24, 1917.)

SECTION 1. Section 1 of the above-entitled act [An act to amend section 8 of an act entitled "An act to regulate the sale and use of poisons in the State of Nevada, and providing a penalty for the violation thereof," approved March 24, 1913, as amended by act approved March 12, 1915, approved February 20, 1917] is hereby amended to read as follows:

SECTION 1. Section 8 of said act is hereby amended to read as follows:

SEC. 8. It shall be unlawful for any person, firm, or corporation to sell, furnish or give away, or offer to sell, furnish or give away, or to have in their or his possession any cocaine, opium, yen shee, morphine, codeine, heroin, alpha eucaine, beta eucaine, nova caine, anhalonium (peyote or mescal button), cannabis sativa (Indian hemp or loco weed), or chloral hydrate, or any of the salts, derivatives, or compounds of the foregoing substances, or any preparation or compound containing any of the foregoing substances or their salts, derivatives, or compounds excepting upon the written order or prescription of a physician, dentist, or veterinary surgeon licensed to practice in this State, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person writing said prescription, or if ordered by a veterinary surgeon it shall state the kind of animal for which ordered and shall be signed by the person giving the prescription or order. Such order or prescription shall be permanently retained on file by the person, firm, or corporation who shall compound or dispense the articles ordered or prescribed, and it shall not be again compounded or dispensed if each fluid or avoirdupois ounce contains more than eight grains of opium, or one grain of morphine, or two grains of codiene, or one-half grain of heroin, or one grain of cocaine, or one grain of alpha eucaine, or one grain of beta eucaine, or one grain of nova caine, or sixty grains of chloral hydrate, excepting upon the written order of the prescriber for each and every subsequent compounding or dispensing. No copy or duplicate of such written order or prescription shall be made or delivered to any person, but the original shall be at all times open to inspection by the prescriber and properly authorized officer of the law, and shall be preserved for at least three years from the date of the filing thereof: *Provided*, That the above provisions shall not apply to sales at wholesale by jobbers, wholesalers and manufacturers to pharmacies legally licensed and doing business under the laws of the State of Nevada, or physicians, nor to each other, nor to the sale at retail by pharmacies to physicians, dentists, or veterinary surgeons duly licensed to practice in this State: *Provided further*, That all such wholesale jobbers, wholesalers, and manufacturers, in this section mentioned, shall before delivery to any person, firm, or corporation of any of the articles in this section enumerated, make or cause to be made in a book kept for that purpose only, an entry of the sale of any such article, stating the date of such sale and quantity and name of the article and form in which sold,

the true name and true address of the purchaser, the name of the person by whom such entry and sale was made, also a statement showing how delivery was had, whether delivered personally or forwarded by mail, express or freight, which book shall be substantially as follows:

Date of sale.	Quantity and name of article.	Name of purchaser.	How delivered.	Name of person selling.
---------------	-------------------------------	--------------------	----------------	-------------------------

And said books shall always be open for inspection by any peace officer or citizen, or any member of the board of pharmacy, or any inspector by them authorized, and such books shall be preserved for at least 5 years after the date of the last entry therein. It shall be unlawful for any practitioner of medicine, dentistry, or veterinary surgeon to furnish to, or prescribe for the use of, any habitual user of the same, any cocaine, opium, morphine, codeine, heroin, anhalonium, cannabis sativa, or chloral hydrate, or any salt, derivative, or compounds, and it shall be unlawful for any practitioner of dentistry to prescribe any of the foregoing substances for any person not under his treatment in the regular practice of his profession, or for any veterinary surgeon to prescribe any of the foregoing substances for the use of any human being: *Provided, however,* That the provisions of this section shall not be construed to prevent any duly licensed physician from furnishing or prescribing in good faith as their physician by them employed as such, for any habitual user of any narcotic drugs who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not given or substances furnished for the purpose of evading the purposes of this act: *Provided,* That the above provisions shall not apply to preparations sold or dispensed without a physician's prescription containing less than two grains of opium, or one-fourth grain of morphine, or one-half grain of codeine, or one-sixth grain of eucaïne, or one-sixth grain of nova caine, or one-sixth grain beta eucaïne, or ten grains chloral hydrate, or four grains of Indian hemp in one fluid ounce, or if a solid preparation in one avoirdupois ounce, or to the sale of strychnine or other poisons for the purpose of destroying noxious wild animals: *And it is further provided,* That it shall be the duty of every proprietor or manager of a pharmacy or drug store, within the State of Nevada, to keep a true and correct record of all orders forwarded to wholesalers, jobbers or manufacturers or traveling salesmen for the purchase of, in any manner, any cocaine, opium, yen shee, morphine, codeine, heroin, alpha eucaïne, beta eucaïne, nova caine, anhalonium, cannabis sativa or chloral hydrate, or any salt, derivative or compound thereof, within the meaning of the provisions of this act: *Provided further,* That a true and correct copy of all orders, forwarded by U. S. mail or otherwise, or given personally any traveling salesmen for narcotic drugs, as specified in this section, shall be forwarded by registered mail to the secretary of the Nevada State Board of Pharmacy, within 24 hours after the forwarding of such order direct or through a representative or traveling salesman: *And provided further,* The taking of any order, or making of any contract or agreement, by any salesman or representative, or any employee or person, firm or corporation, for future delivery in this State, for any of the articles or drugs mentioned in this section shall be deemed a sale of said articles or drugs by said traveling representative or employee within the meaning of the provisions of this act: *Provided further,* That a true and correct copy of all orders, contracts or agreements taken for narcotic drugs specified in this section by any traveling representative or employee shall likewise be forwarded by such traveling representative or employee by registered mail to the secretary of the Nevada State Board of Pharmacy within 24 hours after the taking of such order, contract or agreement, unless such order, contract or agreement is recorded by entry in a book used for that purpose only by some wholesale jobber, wholesaler or manufacturer permanently located in this State, as provided for in this section.

Watercourses—Prevention of Pollution. (Ch. 221, Act Mar. 27, 1917.)

SECTION 1. Any person or persons, firm, company, corporation or association, city or town who shall deposit, or who shall permit or allow any person or persons in their employ or under their control, management or direction to deposit in any of the waters of the lakes, rivers, streams, and ditches in or running into or through the State of Nevada, or cause to be washed or infiltrated into any of said waters, or place or deposit where the same may be washed or infiltrated into any of said waters, any sawdust, pulp, oils, rubbish, filth, or poisonous or deleterious substance or substances which affects the health of persons, fish or live stock, or renders said waters unpalatable or distasteful, shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of competent jurisdiction shall be fined in a sum not less than \$50, nor more than \$500, exclusive of court costs.

SEC. 2. An act entitled "An act to prevent pollution or contamination of the waters of the lakes, rivers, streams and ditches in the State of Nevada, prescribing penalties and making an appropriation to carry out the provisions of this act," approved March 20, 1903, and all acts amendatory or supplemental thereto, are hereby repealed.

Watercourses—Institution and Maintenance of Legal Proceedings to Prevent or Restrain Pollution of. (Ch. 49, Act Mar. 8, 1917.)

SECTION 1. It shall be the duty of the attorney general, with the consent of the governor, to commence such action or actions, suit or suits, against any and all persons, municipalities, towns, cities, corporations, or associations, as may be necessary to prevent or restrain the pollution of any public stream or streams of the State of Nevada, or any public stream or streams running in, into or through the State of Nevada, whether the source of pollution be within or without the State of Nevada.

SEC. 2. The attorney general is authorized, empowered, and directed, with the consent of the governor, to take such proceedings and commence and maintain such action or actions, suit or suits, as may be necessary or proper to prevent or restrain the pollution of any public stream or streams in the State of Nevada, or any public stream or streams running into, in or through the State of Nevada and to maintain and prosecute such action or actions, suit or suits, in the name of the State of Nevada, whether the source of pollution be within or without the State of Nevada.

SEC. 3. For the purpose of carrying out the provisions of this act there is hereby appropriated, from the general fund of the State of Nevada, the sum of \$10,000: *Provided*, That not more than \$1,000 of this amount be expended for attorney fees.

SEC. 4. Within 10 days after the passage and approval of this act, the president of the senate shall appoint one member of the senate and the speaker of the assembly shall appoint one member of the assembly, who shall constitute a committee of the legislature for the purposes hereinafter mentioned; they shall continue to exercise the duties of such committee until 10 days after the convening of the next regular session of the legislature, within which 10 days their successors shall be appointed in the same manner and the committee shall be perpetuated indefinitely in the same manner. Any vacancy in the committee which may occur from any cause, including failure of the proper officer to appoint, shall be filled by the governor.

SEC. 5. The committee hereby created, together with the governor and attorney general, shall constitute an advisory board for the purpose of carrying out this act, which board shall have power to select, employ, and fix the compensation of such legal assistants, experts, chemists, stenographers, and other assistants to the attorney general and to authorize such other expenses as they may deem necessary and proper to carry out the provisions of this act.

SEC. 6. A majority of the advisory board may act upon all matters. In case of a tie vote the governor shall cast an additional deciding vote.

SEC. 7. All expenditures from the appropriation hereby made shall be subject to the approval of the board of examiners.

Pupils—Examination of, by Teachers for Certain Physical Defects. (Ch. 193, Act Mar. 24, 1917.)

SECTION 1. *Duty of teacher.*—It shall be the duty of all teachers engaged in teaching in the public schools of the State separately and carefully to test and examine every child under their jurisdiction to ascertain if such child is suffering from defective sight or hearing, or diseased teeth, or breathes through its mouth. If such test determines that any child has such defect, it shall be the duty of the teacher to notify, in writing, the parent of the child of such defect and explain to such parent the necessity of medical attendance for such child.

SEC. 2. *State board of health prescribes rules.*—The State board of health shall prescribe rules for making such tests, and shall furnish to boards of education and boards of trustees of school districts rules of instruction, test cards, blanks, and other useful appliances for carrying out the purposes of this act.

SEC. 3. *When tests shall be made.*—During the first month of each school year, after the opening of the school, teachers must make tests required by this act upon the children then in attendance at school; and thereafter, as children enter school during the year, such tests must be made immediately upon their entrance.

SEC. 4. *Duty of boards of education.*—It shall be the duty of the boards of education and boards of trustees of the several school districts of the State to enforce the provisions of this act.

SEC. 5. Any child shall be exempt from the examination herein provided upon written statement from his or her parents or guardian that they object to the same.

Rural Schoolhouses—Plans and Specifications for, to be Furnished by the State Board of Education. (Ch. 167, Act Mar. 23, 1917.)

SECTION 1. It shall be a duty of the State board of education to have prepared plans and specifications for rural schoolhouses on standard lines of school architecture as to size, lighting, heating, ventilation, and general sanitation; and the trustees of rural schools needing new schoolhouses shall be supplied with such plans and specifications when the same are ready for distribution upon request of boards of school trustees.

Barber Shops—Sanitary Regulation. (Ch. 227, Act Mar. 27, 1917.)

SECTION 1. Any place where a person is shaved, his hair cut, or his beard trimmed, for hire or reward, shall be construed as being a barber shop.

SEC. 2. It shall be unlawful in any town of this State having a population or [of] more than 10,000 people, for any person, or persons, company or corporation, to keep open or permit to be kept open, any barber shop or public place for the purpose of carrying on or applying [sic] the barber trade or business, or to conduct such business, on the first day of the week, commonly called Sunday, that is to say, between the hours of 12 o'clock midnight of Saturday of any week, and 12 o'clock midnight of the following day, Sunday.

SEC. 3. Any person who shaves another person afflicted with syphilis, eczema, blood poison, or any skin disease, who does not, before he again uses his tools, towels, or water, subject them to such disinfection as may remove any virus, scale, or filth that may be on such tools, towels, or instrument, shall be guilty of a violation of this act.

SEC. 4. It shall be unlawful for any person who conducts a barber shop to permit to remain therein any virus, scale or filth, or to conduct a barber shop that is unsanitary and dangerous to the health of its patrons.

SEC. 5. Every proprietor, owner, manager, lessee, or other person in charge of any barber shop in this State who shall fail to comply with this act, whether through the acts of himself, his agent or employees, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$25, nor more than \$100, or shall be imprisoned for not more than 3 months, or both fine and imprisonment, and every day that any barber shop shall be conducted in violation of any of the provisions of this act shall constitute a separate offense.

NEW HAMPSHIRE.

Communicable Diseases—Infected Persons Prohibited from Employment in Schools. (Ch. 101, Act Mar. 27, 1917.)

SECTION 1. No person shall be employed as teacher or janitor, or in any other capacity, in or about any building used for school purposes who is infected with tuberculosis or any other communicable disease.

SEC. 2. The health officer of any town or city shall upon complaint immediately examine, or cause to be examined, any person alleged to be infected as aforesaid and, if he shall find such person to be so infected, he shall order the temporary or permanent suspension of such infected person from duty.

SEC. 3. If the health officer shall within 10 days from the date of filing of complaint fail to take action as herein provided, the complainant may appeal to the secretary of the State board of health, who shall forthwith cause a competent examination to be made and, if such person is found to be infected as charged, shall order his or her exclusion from school as above provided.

Tuberculosis—Sanatorium Treatment for Indigent and Semi-indigent Patients— Appropriation. (Ch. 271, Res. Apr. 19, 1917.)

That for the treatment of persons afflicted with tuberculosis, particularly in the advanced stages, who are unable to pay the cost of such treatment; and for the encouragement of the establishment and maintenance of sanatoria for the treatment of such persons, the State board of charities and correction be and hereby is authorized to engage free beds in such sanatoria or other places as have been approved by the State board of health, for the treatment of such persons as the State board of charities and correction may specify. Indigent consumptives, citizens of the State, who are unable to pay any part of the cost of said treatment, may be admitted to said free beds by the authority of the secretary of the State board of charities and correction in accordance with the ordinary regulations of said sanatoria. Persons in needy circumstances who, by themselves, relatives or friends, are able to pay no more than part of the cost of said treatment, may be admitted to said sanatoria or other places and maintained and treated therein at the expense of the State to that extent that they can not by themselves, relatives or friends chargeable therefor, pay cash cost of treatment, when the State board of charities and correction so certify; and said board shall stipulate the proportion the State shall assume to pay. This resolution shall not be construed so as to deprive any person to whom aid is rendered of any right that he may have at the time of his admission to said sanatorium. To pay the expenses of engaging said free beds and assisting persons in needy circumstances to treatment in said sanatoria, a sum not exceeding \$20,000 for each of the years 1917 and 1918 is hereby appropriated, and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

Tuberculosis—Investigation by State Board of Health. (Ch. 133, Act Apr. 10, 1917.)

SECTION 1. The State board of health is hereby authorized to investigate the extent, prevalence and distribution of tuberculosis in New Hampshire; to ascertain what provisions exist and what are required better to provide for indigent cases; what sanatoria and hospitals receive tuberculosis cases for treatment, and which do not, and to ascertain any other facts having a bearing upon the restriction and prevention

of tuberculosis, and to report the facts with the conclusions and recommendations of the board to the legislature of 1919, and the governor is hereby authorized to draw his warrant for the actual reasonable expenses incident to the carrying out of the provisions of this act.

Sanatoriums for Mental and Other Diseases—Licensing and Regulation. (Ch. 103, Act Mar. 27, 1917.)

SECTION 1. No person or corporation shall locate, conduct or maintain a sanitarium or asylum for the reception of persons of unsound mind or for the treatment of specific diseases except first having obtained a license so to do from the State board of health.

SEC. 2. Any person or corporation desiring to maintain a sanitarium or asylum for the reception, confinement or control of persons of unsound mind, or for the treatment of specific diseases, shall first make application to the State board of health, and all facts relating to the character of the proposed sanitarium or asylum and of the applicant, shall be thoroughly investigated by said board, who shall, at their discretion, issue a license to such applicant, with such restrictions and regulations as they may deem necessary for the protection of the interests of the State. The State board of health may, in their discretion, revoke or suspend said license.

SEC. 3. Any sanitarium or asylum maintained by any person or corporation shall be open at all times to inspection by the State board of health or such person or officer as said board may designate, and the said State board of health shall have the power to make such orders, rules and regulations for the conduct of such sanitarium or asylum as the board may deem necessary.

SEC. 4. Any person who shall violate the provisions of this act shall be fined not exceeding \$500 or be imprisoned not exceeding 1 year, or both.

Milk and Milk Products—Sale—Standardized Milk. (Ch. 156, Act Apr. 18, 1917.)

SECTION 1. Section 17, chapter 127 of the public statutes, as amended by section 2, chapter 107, laws of 1901, and section 1, chapter 71, laws of 1911, is hereby amended by striking out the entire section and inserting in place thereof a new section to read as follows:

SEC. 17. If any person shall adulterate milk, skim milk or cream with water or otherwise to be sold, or shall sell or offer for sale, or have in possession with intent to sell, any adulterated or unwholesome milk, skim milk or cream containing any coloring matter or preservative, or any milk produced from sick or diseased cows, or cows fed upon any substance which may be deleterious to the quality of milk, skim milk or cream, or shall sell or offer for sale, or have in possession with intent to sell as milk, any milk from which the cream or a part thereof has been removed, he shall be fined not less than \$25 nor more than \$200, or imprisoned not more than 60 days, or both. If upon analysis any milk shall be found to contain less than 11.85 per cent of milk solids, or less than 3.35 per cent of butter fat, or more than 500,000 bacteria per cubic centimeter, at the time of sale, or in the case of skim milk, less than $8\frac{1}{2}$ per cent of milk solids exclusive of fat, or in the case of cream, less than 18 per cent of butter fat, or in the cases of butter and renovated butter, less than 80 per cent of butter fat, or more than 16 per cent of water, such product shall not be deemed as of standard quality; and the sale, offering for sale or having in possession with intent to sell, by any person, firm or corporation, of milk, skim milk, cream, butter or renovated butter which fails to conform to the requirements herein specified, shall be punished by a fine of \$10: *Provided*, That pure natural milk which shall contain less than the amounts of solids and fats herein specified may be sold if every can, bottle or other container in which such milk is shipped, sold or delivered, at wholesale or retail, is plainly labeled so as to show its guaranteed composition.

SEC. 2. Nothing contained in section 17, chapter 127 of the public statutes as amended, shall be construed as prohibiting the production or sale of so-called standardized milk as hereinafter defined and conditioned.

SEC. 3. Standardized milk is hereby defined as the product resulting from the blending of milk or skim milk with clean, fresh, natural cream, under proper sanitary conditions, and in such manner as to afford a milk of a certain definite composition. Such milk shall conform in all respects to the standards of quality and purity as provided in section 17 of chapter 127 of the public statutes, and amendments thereto, as amended by section 1 of this act.

SEC. 4. Every person, firm or corporation who desires to produce a standardized milk shall make application to the State board of health for a license to this end, to be issued by the said board at its discretion, limited to a period of 1 year, and revocable for cause.

SEC. 5. Every can, bottle or other container in which standardized milk is shipped, sold or delivered, at wholesale or retail, shall bear a label or tag giving the name of the producer and containing the words: Standardized to ——— per cent butter fat (stating the percentage of butter fat).

SEC. 6. Any person, firm or corporation who shall standardize milk as herein provided without first having procured a license so to do, or following revocation of his license, or who shall ship, sell or deliver any such milk not truthfully labeled as provided in section 4 [5], or any milk which has thus been reduced below the legal standard of quality, shall be fined not less than \$25 nor more than \$200, or be imprisoned not more than 60 days, or both.

Ellis and Wildcat Rivers—Prevention of Sewage Pollution. (Ch. 126, Act Apr. 10, 1917.)

SECTION 1. It shall be the duty of the local boards of health to inspect the cesspools or other systems of sewage at least once each year, and if any such cesspools or other systems of sewage be deemed by said boards of health to pollute or contaminate the waters of the Ellis or Wildcat Rivers, or their tributaries, in such manner as to affect their purity for domestic purposes, the said boards of health shall cause the owners of such cesspools or other systems of sewage so deemed to pollute or contaminate said waters to alter or construct the same under the supervision and in accordance with the regulations of the State board of health.

SEC. 2. Whoever violates any of the provisions of this act shall be deemed to be guilty of a misdemeanor, and shall be punished by a fine of not more than \$100, or by imprisonment not exceeding one month.

Habit-Forming Drugs—Sale and Dispensing. (Ch. 192, Act Apr. 19, 1917.)

SECTION 1. Amend section 2, chapter 162, laws of 1909, as amended by chapter 7, laws of 1911, chapter 160,¹ laws of 1915, and by an act approved by the legislature March 8, 1917, entitled "An act in amendment of the laws of 1909, chapter 162, section 2, entitled 'An act to prohibit the manufacture and sale of cocaine and articles containing cocaine, as amended by the laws of 1911, chapter 7, and by the laws of 1915, chapter 160, and providing for the inspection of prescriptions in certain cases,'" by inserting after the words "shall not apply" and before the words "to sales to apothecaries" the words "to sales of liquid preparations sold in good faith as medicines containing not more than two grains of opium, or not more than one-fourth grain of morphine, or not more than one-eighth grain of heroin or not more than one grain of codeine, in one fluid ounce, or if a solid preparation, in one avoirdupois ounce, nor." Further amend said section by inserting after the words "kept on file"

¹ Pub. Health Repts. Reprint 338, p. 356.

and before the words "as authority" the words "for two years," so that said section as amended shall read as follows:

SEC. 2. It shall be unlawful for any person, firm, or corporation to sell, exchange, deliver, expose for sale, give away, or have in his possession or custody with intent to sell, exchange, deliver or give away, in any street, way, square, park or other public place, or in any hotel, restaurant, liquor saloon, bar-room, pool-room, news stand or other places to which persons are permitted generally to resort, public hall, place of amusement or public building, any cocaine or any of its salts, or any synthetic substitute for the aforesaid, or any preparation containing any of the same, morphine, heroin, codeine or any derivatives of the same: *Provided, however,* That the foregoing provision shall not apply to sales of liquid preparations sold in good faith as medicines containing not more than two grains of opium, or not more than one-fourth grain of morphine, or not more than one-eighth grain of heroin or not more than one grain of codeine, in one fluid ounce, or if a solid preparation, in one avoirdupois ounce, nor to sales to apothecaries, druggists, physicians, veterinaries, or dentists, nor to sales by apothecaries or druggists upon the original prescription of a physician: *Provided,* The prescription is retained and kept on file for two years as authority for the sale and not refilled. The chief of police of cities or the selectmen of towns, or any officer authorized by either of them, may at any time enter upon any premises used by an apothecary or druggist for the purpose of his business and inspect such original prescriptions; and every apothecary or druggist, his clerk, agent or servant, shall exhibit to such officer on demand every such original prescription so kept on file.

Births—Notice of Registration to be Sent to Parents—Name of Child to be Obtained.
(Ch. 106, Act Mar. 27, 1917.)

SECTION 1. It shall be the duty of city and town clerks within 30 days after receiving the report of a birth, to send a copy of the record to the parents, and state that the birth has been duly recorded on the city or town books, and if the name of the child is not given, it shall be the duty of the clerk to obtain it and complete the record under the provisions of chapter 16, laws of 1893.

SEC. 2. If any official shall violate the provisions of this act, he shall be punished by a fine of \$10.

Births, Deaths, and Marriages—Publication. (Ch. 25, Act Feb. 22, 1917.)

SECTION 1. Section 4 of chapter 43 of the public statutes is hereby amended by striking out the words "first day of March" in the first and second lines thereof and inserting the words fifteenth day of February, so that said section as amended shall read as follows:

SEC. 4. Every town clerk shall annually, on or before the fifteenth day of February, furnish to the selectmen a transcript of his records of births, marriages, and deaths during the period prescribed by the registrar of vital statistics for the State, so that the same may be published with the reports of town officers.

Schools—Medical Inspection—Adoption of Act Relating to, by School Districts.
(Ch. 114, Act Apr. 3, 1917.)

SECTION 1. The school board of every city, union, special or town school district, shall hereafter cause to be inserted in the warrant for the annual meeting of said district an article relating to the adoption of the provisions of chapter 83² of the laws of 1913, providing for the medical inspection of schools, unless said district has already adopted the provisions of said chapter.

²Pub. Health Repts. Reprint 264, p. 294.

Embalmers—Examination and Licensing—Regulation. (Ch. 118, Act Apr. 3, 1917.)

SECTION 1. Any person hereafter wishing to become an embalmer of dead human bodies, or to engage in caring for and preparing dead bodies for burial, transportation or cremation, shall be at least 21 years of age with not less than a grammar school education, and shall have practiced embalming dead human bodies for at least 12 months, and shall have had at least one term of practical instruction in embalming and disinfecting in a school of embalming approved by the board of examiners, and shall have an intelligent comprehension of such rudiments of anatomy, and of the characteristics of, and the dangers from contagious and infectious diseases, and of the actions and uses of disinfectant agencies, as the State board of health may prescribe as necessary for the protection of the living, before he or she is permitted to practice said business or profession within the State, and shall be required to pass an examination before a board of examiners, created and empowered by the eight following sections.

SEC. 2. After the examination has been completed the State board of examiners shall judge of the qualification of the applicant, and, if satisfactory, the certificate of a licensed embalmer shall be issued to him or her, under which he or she shall have legal authority to prepare bodies dead of infectious or contagious diseases for transportation, and to do any work coming within the province of his or her said vocation. No license shall be issued or renewed for a period exceeding one year, and all licenses now in force shall expire January 1, 1918, but shall be renewed under the provisions of this act.

SEC. 3. The State board of examiners may revoke, for cause, any license issued by it, and failure to comply with the law and the regulations of the State board of health shall be deemed sufficient provocation for the revocation of a license.

SEC. 4. Examinations for licenses shall be given by the State board of examiners at least twice annually, at such time and place as they may determine. The examination papers shall contain such questions relating to the subject of embalming and disinfecting as the board may deem necessary to determine the qualifications of the applicant for the business, and if found qualified, a certificate, as provided for in section 12, shall be granted him or her.

SEC. 5. The board of examiners shall consist of four members, viz, the secretary of the State board of health, who shall be secretary of the board of examiners, and three other members, who shall be appointed by the governor with the advice and consent of the council within 30 days after the passage of this act, one of whom shall be a member of the State board of health and two of whom shall be practical undertakers and embalmers, and who shall hold office for three years from the date of their appointment and until their successors are appointed and qualified. In case of a vacancy due to death, resignation or other cause, the vacancy shall be filled by appointment for the unexpired term, in the same manner as in the case of original appointments.

SEC. 6. The State board of health may adopt such blanks and forms of procedure as it may deem necessary and best to carry out the provisions of sections 11 to 14 inclusive, and it shall keep on file a list of all registered and licensed embalmers and a record of examinations, together with the examination papers, all of which shall be open to public inspection.

SEC. 7. The board of examiners shall keep a record, containing the names and residences of all persons licensed hereunder, and a record of all moneys received and disbursed by said board, and said records, or duplicates thereof, shall always be open to inspection in the office of the secretary or the State board of health during regular office hours. Said board of examiners shall report to the State board of health, on or before the first day of May in each year; the report to contain a full and complete account of all its official acts during the year, together with a statement of the receipts and disbursements of the board and such comments as may be deemed proper.

SEC. 8. The fee for examination under sections 11 to 14, inclusive, shall be \$5; for the issuing or renewal of any license \$1 and for the revival and renewal of any license

\$2. The money thus received by the board of examiners shall constitute a permanent fund for carrying out the work provided in said sections. From the money thus received the expenses for printing, for stationery, for postage, for other expenses necessarily incurred under the provisions of said sections and for full compensation of the members of the board of examiners, shall be paid. The board of examiners shall be entitled to \$5 per day and expenses each during session. The secretary of the examining board shall receive the same compensation as the other members of the board and \$5 additional per day while actually employed in the performance of his said duties; any balance shall be turned into the treasury of the board of examiners. The secretary of the examining board shall act as treasurer of the board, and shall deposit or otherwise care for any money which may be in the treasury as he may be instructed by vote of the board of examiners.

SEC. 9. Any person holding an embalmer's license may have the same renewed, for not to exceed one year, by making and filing with the secretary of said board of examiners an application therefor within 30 days preceding the expiration of his or her license, upon blanks prescribed by said board and upon payment of \$1 renewal fee: *Provided, however,* That any person neglecting or failing to have his or her license renewed as above, may have the same renewed by making application therefor within 30 days after date of expiration, and upon payment of \$2 revival and renewal fees.

SEC. 10. In the month of January of each and every year, the secretary of said board of examiners shall supply each licensed embalmer, and the secretary of the State board of health shall supply the various transportation companies within this State, with a list of all embalmers holding licenses, then in force, giving the names of such persons, their business address and the number of their license.

SEC. 11. The secretary of said board of examiners shall at least 10 days prior to the expiration of any license mail a notice to such holder of license about to expire under this act advising him or her to that effect, and enclose him or her therewith a blank application for renewal thereof. The secretary of said board shall also mail a notice to each holder of a license under this act that has not been renewed in accord with the foregoing provisions, advising him or her of the expiration of his or her license, and the penalty of embalming dead human bodies without holding a license and the condition and terms upon which his or her license may be revived and renewed. All notices required to be mailed by provisions of this act shall be directed to the last known post office of the party to whom the notice is sent.

SEC. 12. No person shall inject into any cavity or artery of the body of any person who has died from an accidental or sudden death or under suspicious circumstances, any fluid or substance until a legal certificate of the cause of death from the attending physician or coroner has been obtained, nor until a legal investigation has determined the cause of death. If a criminal cause of death is alleged or suspected, no fluid or other substance shall be injected into a body until the cause of death is legally established.

SEC. 13. Any person who shall be guilty of the violation of any of the provisions contained in the preceding sections, or who shall violate any rule or regulation prescribed by said board of health for the preparation, embalming, shipping, or burial of any dead human body shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$10 nor more than \$50, or imprisonment in the county jail not less than 10 days nor more than 60 days, and it shall be the duty of the county attorney of the county in which violation occurs to prosecute all such persons.

NEW JERSEY.

Sanitary Code—Definition of Terms. (Reg. Dept. of H., Apr. 17, 1917.)

CHAPTER 4. REGULATION 1. *Definitions.*—Certain words and terms used in the sanitary code of the State of New Jersey are defined as follows:

1. The term "communicable diseases" refers to the diseases named as such in chapter 6 of this code, and to all others that may hereafter be declared communicable by the State department of health.

2. The term "board of health" or "local board of health" refers to any board of health in any county, city, town, village, township or any other form of municipal government in this State, or to any board or body exercising the powers and performing the duties of a local board of health.

3. The terms "health officer" and "executive officer" as used in this code refer to and include the person so designated by a local board of health or by any board or body who shall exercise the powers and perform the duties of a local board of health, as the executive officer of such board or body.

4. The term "isolation" refers to the placing apart of infected persons for the purpose of preventing contact with other persons, and to the establishment of restrictions directly surrounding such persons.

5. The term "quarantine" refers to the condition resulting from restrictive measures which are applied to households, premises or areas of greater magnitude, for the prevention of the spread of communicable diseases to other areas, and also to restrictions applied at ports of entry to prevent the introduction of diseases from other ports, States or countries.

6. The term "cleansing" means the thorough removal of dust and other contaminating material in such a way as to prevent the entry thereof, as far as may be possible, into other rooms or dwellings; washing with soap and hot water; scouring, airing and exposure to sunlight.

7. The term "disinfection" means the application of disinfecting substances to infected materials, in sufficient concentration and for a sufficient length of time to destroy pathogenic bacteria. When gaseous disinfectants are used, all cracks, crevices and openings shall first be closed.

Communicable Diseases—Notification of Cases—Diphtheria Cultures—Isolation—Quarantine—Hospitalization—Cleaning and Disinfection—Precautions by Physicians and Attendants—Placarding—Contact With Infected Persons—Attendance at Schools and Gatherings—Vaccination—Incubation Periods—Handling and Sale of Milk and Foodstuffs—Carriers—Diagnosis—Inoculation With Living Bacteria—Laboratories—Destruction of Infected Articles. (Reg. Dept. of H., Apr. 17, 1917.)

CHAPTER 6. REGULATION 1. The following diseases are hereby declared to be communicable:

Anthrax.

Chicken pox.

Cholera, Asiatic.

Diphtheria (membranous croup).

Dysentery, amebic and bacillary.

Glanders.

Leprosy.

Malaria.

Measles.

Measles, German.

Meningitis, epidemic cerebrospinal.

Ophthalmia neonatorum.

Paratyphoid fever.

Plague.

Poliomyelitis, acute anterior (infantile paralysis).	Trichinosis.
Rabies (hydrophobia).	Tuberculosis, all forms.
Scarlet fever.	Typhoid fever.
Smallpox (varioid).	Typhus fever (Brill's disease).
Trachoma.	Whooping cough.
	Yellow fever.

REG. 2. *Reporting of communicable diseases by physicians.*—Every physician shall within 12 hours after his first professional attendance upon any person who is affected with any of the diseases enumerated in regulation 1, report such sickness to the assessor of the township in which such sickness may be; if such sickness be within the limits of the jurisdiction of any local board of health other than the board of health of any township, then such physician shall report such sickness to the executive officer or such other officer of the local board of health who has been designated by such board to receive such reports; such reports shall be in writing, signed by such physician, and shall set forth the nature of the disease, and the name, age, sex, color and precise location of the person suffering from or affected by such disease.

When a case of communicable disease is believed to have been contracted in any municipality other than the municipality in which it is reported, the local officer receiving such report shall send a copy thereof, together with such other information relating to said case as he may have, to the executive officer of the place where the disease was believed to have been contracted, if said municipality is located within this State, and if said municipality is located without the State he shall send such information as aforesaid to the director of health of New Jersey, who shall forward it to the executive officer of the department of health of the State in which said municipality is located.

REG. 3. *Reporting of communicable diseases occurring in institutions.*—(a) Every physician, superintendent or other person having control or supervision over any State, county or municipal hospital, sanatorium or other public or private institution in which any person suffering from any of the communicable diseases enumerated in regulation 1 is received for care or treatment, shall, within 24 hours after any such case of sickness has been received into said institution, report such sickness to the officer designated to receive such reports by the local board of health having jurisdiction over the territory in which such institution is located. Said report shall be in writing, signed by such physician, superintendent or other person having charge over said institution, and shall set forth the nature of the disease and also the name, age, sex, color of the sick person and the exact place of residence of such person or the name of the place from which he was received into the institution, together with the date upon which he was received.

(b) Every person designated by any local board of health to receive such reports of the communicable diseases enumerated in regulations 1 and 2, who shall receive any report of such sickness from any physician, superintendent, or other person having charge over any of the institutions referred to in section (a) of regulation 3, shall, when the sick person referred to in such report resides in some municipality or township other than that in which such institution is located, make a duplicate of any such report received by him and transmit the same, by mail, within 24 hours after the receipt of the original, to the officer legally designated to receive such reports, in the locality in which the sick person resided before being admitted into such institution.

REG. 4. *Reporting by physicians of certain communicable diseases occurring on dairy premises.*—(a) Every physician who shall attend any person sick with or infected with the causative agent of Asiatic cholera, diphtheria, dysentery (amebic or bacillary), paratyphoid fever, scarlet fever, tuberculosis or typhoid fever, on any dairy or other premises where milk or milk products are produced for sale or distribution

or in any dwelling in which any person resides who is employed on any such dairy or other premises, shall report by telegram if practicable, and also in writing, to the Director of Health of New Jersey, within 12 hours after he has first had reason to believe any such person is sick with or infected with the causative agent of any of the said diseases, and shall state the name of the disease, the name, age, sex and color of the person who is ill with or infected with such disease, the location of the place where such person is ill as aforesaid, and the name of the owner or manager of said dairy or other premises if the same can be ascertained.

(b) Where no physician is in attendance it shall be the duty of the owner or person in charge of any dairy or other premises on which milk, cream or other milk products are produced for sale or distribution, to report forthwith by telephone or telegram if practicable, and also in writing to the director of health of New Jersey, and also to the officer designated by the local board of health to receive such reports within the municipality within the jurisdiction of which the said dairy or other premises is located, the name, age, sex, color and exact location of any person employed about such dairy who appears to be affected with any of the diseases named in subdivision (a) of this regulation.

(c) When any of the diseases named in this regulation occur on a dairy or other premises on which milk or other dairy products are produced for sale or distribution, in any municipality other than that in which the dairy upon which they are produced is located, it shall be the duty of the health officer to notify the director of health of New Jersey in writing within 24 hours after he has knowledge of the existence of any such case, of the action that is being taken by him to prevent the transmission of infection through milk or other food products produced or stored on any such premises.

REG. 5. *Reporting of communicable diseases by houseowner or householders.*—Every houseowner or householder who has reason to believe that any person living, dwelling or being in any building or apartment under his control, is affected with any of the communicable diseases enumerated in regulation 1, shall, when no physician has attended such sick person, within 12 hours after discovering the same, report the fact in writing to the person designated to receive such reports by the local board of health within whose jurisdiction the said case may occur.

REG. 6. *Reporting cases and suspected cases of communicable disease occurring in children in attendance at schools.*—It shall be the duty of every teacher, nurse and medical school inspector to report forthwith to the principal or other person in charge of a school, the name of any child in such school who appears to be affected with a disease declared by this code to be communicable. It shall be the duty of the principal or person in charge of every school to report forthwith in writing, and by telephone or in person if practicable, to the person designated by this code or by the local board of health to receive such reports, the supposed nature of the disease and the name, age, sex, color and address of any person attending such school who appears to be affected with any communicable disease. Such person shall be at once sent home or isolated.

REG. 7. *Reporting cases and suspected cases of communicable disease in hotels, boarding or lodging houses.*—When no physician is in attendance, it shall be the duty of the proprietor or keeper of any hotel, boarding or lodging house, to report forthwith in writing, and by telephone or in person if practicable, to the person designated by this code or by the local board of health to receive such reports, the name, age, sex and color and address of any person in any hotel or lodging house under his charge who appears to be affected with any communicable disease.

REG. 8. *Reporting cases and suspected cases of communicable disease by nurses and persons in charge of camps.*—When no physician is in attendance, it shall be the duty of every person in charge of any labor or other camp, having knowledge that any person living in or attached to such camp is affected with any communicable disease, to report

at once in writing, and by telephone or in person if practicable, to the person designated by this code or by the local board of health to receive such reports, within whose jurisdiction the said case occurs, the name, age, sex, color and address of such person and the suspected nature of the disease.

REG. 9. *Reporting cases and suspected cases of communicable disease on vessels.*—When no physician is in attendance, it shall be the duty of the master or person in charge of any vessel located in waters within the jurisdiction of any local board of health of this State, to report or cause to be reported immediately in writing, and by telephone or in person if practicable, to the person designated by such local board of health to receive such reports, the name, age, sex, color and location of any person in or on such vessel, suspected to be affected with any communicable disease, together with the name of the vessel upon which such person is located.

REG. 10. *Reporting of cases of rabies.*—It shall be the duty of all persons owning or having interest in, or having in their possession or under their control, or having knowledge of any dog or cat or other animal, affected with rabies, or suspected of being affected with rabies, to forthwith notify the person designated by the local board of health having jurisdiction over the place in which such animal is located, to receive such reports, by telephone, telegraph or in person, if practicable, and also in writing, signed by the person making the same, which report shall state where such animal may be found, and shall contain, if possible, a description of the animal, the location of the animal, and the name and address of the owner.

REG. 11. *Reporting of communicable diseases to the State department of health.*—The officer to whom reports of communicable diseases are made in accordance with the provisions of regulation 2 of this chapter, shall transmit in writing, within 24 hours after the receipt by him of such reports, the facts stated therein, to the director of health of New Jersey, and upon request by said director of health, shall give full information concerning the measures which are being employed by the local board of health to prevent the spread of the disease named in such reports.

REG. 12. *Diphtheria; material for cultures to be submitted.*—In every case of illness which there is reason to believe may be diphtheria, it shall be the duty of the attending physician, or if there be no physician in attendance, then of the nurse or other person in attendance, to take cultures forthwith from the throat and nose of the person suspected of being infected, or to permit the health officer or his representatives to take such cultures: *Provided, however,* That if such cultures are forthwith taken by the health officer having jurisdiction, or his representative, it shall not be necessary for the attending physician or nurse to take such cultures. Such cultures shall be immediately submitted by the person taking the same, for examination, to the State laboratory of hygiene, or to a laboratory which has been approved by the director of health of New Jersey.

REG. 13. *Establishment of isolation or quarantine by executive officers of local boards of health.*—It shall be the duty of the executive officer of every local board of health, upon receiving a report of a communicable disease, to forthwith establish such isolation or quarantine, or other restrictive measures, as may be required by the State sanitary code or by local ordinances. Whenever isolation or quarantine is to be established on any premises, the health officer shall cause a written order establishing such isolation or quarantine to be served upon the person in charge of such premises. Service upon any responsible member of a household shall be deemed sufficient service upon all the members of the household of the person so served. In lieu of such service, such order may be posted on the building or premises occupied by the affected person or persons. When so posted all persons on such premises shall be bound by such notice. When such isolation or quarantine has been established, it shall remain in force until the health officer has caused to be served on the affected person or persons or posted on the premises, a notice in writing terminating such isolation or quarantine.

REG. 14. *Persons not to be isolated or quarantined in certain cases.*—When a person affected with a communicable disease is effectually isolated on the premises, the executive officer of the local board of health may, at his discretion, refrain from isolating or quarantining other members of the family or household in which such disease may exist, who do not come in contact with the patient or his secretions or excretions, or with the nurse or other person caring for the patient.

REG. 15. *Removal of cases of communicable disease.*—After isolation or quarantine of any person affected with or exposed to a communicable disease shall have been established, such person shall not leave the apartment or premises where he is isolated, nor shall any other person remove such person, or permit him to be removed, unless a permit for such removal shall first have been issued by the executive officer of the local board of health.

REG. 16. *Right of entrance and inspection.*—No person shall interfere with or obstruct the entrance to any building, apartment or vessel by any inspector or officer of the State or local health authorities, in the discharge of his official duties; nor shall any person interfere with or obstruct the inspection or examination of any occupant of such building, apartment or vessel by any State or local medical inspector in the discharge of his official duties.

REG. 17. *Disinfection of discharges of persons affected with communicable diseases.*—It shall be the duty of the physician in attendance on any case known or suspected by him to be a case of communicable disease, to inform the nurse or other person in attendance in regard to the disinfection and disposal of bodily discharges. Such information shall be given on the first visit, and shall be in accordance with the regulations of the State department of health, and it shall be the duty of the nurse or other person in attendance to carry out such disinfection and disposal until further or different directions have been given by the executive officer of the local board of health.

REG. 18. *Executive officer to visit premises where communicable disease is reported.*—It shall be the duty of the executive officer of each local board of health, as soon as a case of Asiatic cholera, bubonic plague, diphtheria, epidemic cerebrospinal meningitis, acute anterior poliomyelitis (infantile paralysis), scarlet fever, paratyphoid fever, smallpox or typhoid fever, is reported to the official designated to receive such reports, to visit the premises, or cause the same to be done, for the purpose of ascertaining the source of the infection, and to give all necessary directions in writing, or printed instructions, to the person in charge of the patient, regarding the disinfection and disposal of excreta and other discharges from the body, and other materials which may be or may have become infected.

REG. 19. *Precautions to be observed by physicians and attendants.*—The physician, nurse, or other necessary attendant upon a case of communicable disease, after attending upon the case, shall take such precautions and practice such measures of cleansing or disinfection of his person and garments as will prevent the conveyance to others of infective material from the patient, or as may be required by the regulations of the State department of health.

REG. 20. *Posting placards.*—When a case of diphtheria, epidemic cerebrospinal meningitis, measles, acute anterior poliomyelitis (infantile paralysis), scarlet fever, smallpox, or typhus fever exists in any house or apartment, it shall be the duty of the health officer to post or cause to be posted upon such house, in plain view, near the entrance thereof, or upon the door of the apartment in which the case is isolated, a placard stating the existence therein of a communicable disease, and the name of such disease.

REG. 21. *Interference with placards.*—No person shall interfere with or obstruct the posting of any placard by any health official in or on any place or premises, nor shall

any person conceal or mutilate any such placard, or remove it except by permission of the health officer.

It shall be the duty of the occupant of the premises where a placard has been posted, to immediately notify the health officer of any interference with or removal of such placard.

REG. 22. *Preventing the spread of communicable diseases in institutions.*—It shall be the duty of the superintendent or person in charge of any hospital, or other institutions or dispensary, in which there is a person affected with any communicable disease, to take such precautions as will prevent the spread of infection.

REG. 23. *Exposure of persons affected with certain communicable diseases.*—No person shall permit any person under his charge who is affected with diphtheria, measles, scarlet fever, smallpox, plague, epidemic cerebrospinal meningitis, acute anterior poliomyelitis (infantile paralysis), typhus fever or whooping cough, to associate or come in contact with any person other than his attendants.

No person affected with any of the above-mentioned diseases shall come in contact with others in such manner as to cause or contribute to, promote or render liable the spread of such diseases.

REG. 24. *Needless exposure to certain communicable diseases forbidden.*—No person shall expose or permit the visiting, association or contact of any person under his charge with any person affected with epidemic cerebrospinal meningitis, diphtheria, measles, scarlet fever, smallpox, acute anterior poliomyelitis (infantile paralysis), typhus fever or whooping cough, or with discharges of any kind from the person of a patient affected with any of the said diseases.

No person shall needlessly expose himself, or visit or come in personal contact with a case of any of said diseases, or the discharges therefrom, or in any manner cause or contribute to, promote or render liable the spread thereof.

REG. 25. *Exclusion from school of cases of communicable disease.*—It shall be the duty of the principal or other person in immediate charge of any public, private or Sunday school, to exclude therefrom any child or other person affected with a disease suspected to be communicable, until such child or other person shall have presented a certificate issued by the health officer, stating that such child or other person is not liable to transmit infection.

REG. 26. *Exclusion from schools and gatherings of cases of certain communicable diseases.*—No person affected with chicken pox, diphtheria, epidemic cerebrospinal meningitis, German measles, measles, mumps, acute anterior poliomyelitis (infantile paralysis), scarlet fever, smallpox, trachoma or whooping cough, shall attend or be permitted to attend any public, private or Sunday school, or any public or private gathering; nor shall such person visit or make use of any public library or any of the books belonging thereto; nor shall the personal or bed clothing of any person affected with such disease be sent to a public laundry unless it shall have been first disinfected. Such exclusion shall be for such time and under such conditions as may be prescribed by the health officer, not inconsistent with the provisions of this code.

REG. 27. *Exclusion from schools and gatherings of children of households where certain communicable diseases exist.*—Every child in or who has visited any household, at the time when there has been therein a case of chicken pox, diphtheria, epidemic cerebrospinal meningitis, German measles, measles, mumps, acute anterior poliomyelitis (infantile paralysis), scarlet fever, smallpox or whooping cough, shall be excluded from every public, private or Sunday school, and from every public and private gathering, for such time and under such conditions as may be prescribed by the health officer of the board of health having jurisdiction over the place where such child resides, not inconsistent with the provisions of this code or the rules and regulations of the State department of health; unless such child shall have secured a written permit to attend such gathering from the health officer of the municipality in which such gathering is to be held.

REG. 28. *Isolation or removal in smallpox.*—It shall be the duty of every health officer, whenever a case of smallpox occurs within his jurisdiction, either to remove such case or cause it to be removed to a suitable hospital, or to isolate it. Every inmate of a household in which any such case may have occurred, and every person who has been in contact with such case or with the secretions or excretions therefrom, shall either be immediately vaccinated or quarantined. If such vaccination has been done within 3 days of the date of his first exposure to the disease, the name and address of such inmate or person shall be taken and he shall be kept under daily observation until successful vaccination results, or for at least 20 days. If such vaccination has been done after the expiration of a longer period than 3 days from his first exposure to the disease, he shall be kept under quarantine until successful vaccination results, or for at least 12 days. If such inmate or other person refuses to be vaccinated, he shall be quarantined at his own expense for at least 20 days from the date of his last exposure, and until discharged by the health officer.

REG. 29. *Provision for free vaccination.*—It shall be the duty of the board of health of every municipality to provide, at public expense, free vaccination against smallpox and free inoculation with typhoid fever bacterin, for all persons who apply for the same, and also to administer free diphtheria antitoxin and antirabic treatment to indigent persons, and to make public offer of such free vaccination, inoculation and treatment.

REG. 30. *Removal to hospital or isolation and restriction of visiting in cases of certain communicable diseases.*—It shall be the duty of the health officer promptly to remove, or cause to be removed, every case of diphtheria, measles, scarlet fever or acute anterior poliomyelitis (infantile paralysis), to a suitable hospital, or to see that such case is effectively isolated. When such isolation is established it shall be strictly maintained until terminated by order of the health officer.

No person, except the physician and the nurse or other person in attendance upon the patient, or duly authorized representatives of the State department of health or local board of health, shall be permitted to come in contact with or visit a person suffering from diphtheria, measles, scarlet fever or acute anterior poliomyelitis (infantile paralysis), except by written permission of the health officer.

REG. 31. *Removal to hospital from lodging houses, hotels, or boarding houses; or isolation, and provision for persons who can not be removed.*—It shall be the duty of the executive officer of the local board of health, whenever a case of diphtheria, measles, scarlet fever, smallpox, typhoid fever or acute anterior poliomyelitis (infantile paralysis), occurs in a lodging house, hotel or boarding house within his jurisdiction, if a suitable hospital or other place is available, to promptly cause such case to be removed thereto, unless, in the judgment of the health officer, the case can be safely isolated on the premises, or unless such removal shall be attended with undue risk to the patient.

If there be no suitable hospital or other place available, or if, for any sufficient reason, such case can not be removed, it shall be the duty of the municipal authorities to make provision, when necessary, for the medical and nursing care of such case in such lodging house, hotel or boarding house, and the health officer may, if in his judgment such action seems necessary, remove the other inmates or cause them to be removed therefrom.

REG. 32. *Quarantine in certain emergencies.*—When, for sufficient reason, any case of diphtheria, epidemic cerebrospinal meningitis, measles, scarlet fever, acute anterior poliomyelitis (infantile paralysis), smallpox, or typhus fever, is not or cannot be removed to a suitable hospital, and cannot be adequately isolated, it shall be the duty of the executive officer of the local board of health to prevent any member of the household from leaving the premises, except under such conditions as he may specify.

REG. 33. *Maximum period of incubation.*—For the purpose of this code, the maximum period of incubation (that is, the time which may elapse between the date of

the last exposure to a given disease and the date of its development), of the following communicable diseases is hereby declared to be as follows:

	Days.
Chicken pox.....	21
Measles.....	14
Mumps.....	21
Scarlet fever.....	7
Smallpox.....	20
Whooping cough.....	14

REG. 34. *Minimum period of isolation.*—The minimum period of isolation of persons affected with the diseases hereinafter named, shall be as follows:

Chicken pox, until 12 days after the appearance of the eruption, and until the crusts have fallen and the scars completely healed.

Diphtheria (membranous croup), until two successive negative cultures have been obtained from both the nose and throat at intervals of not less than 24 hours, or until the bacilli present have been shown to be nonvirulent.

Measles, until 7 days after the appearance of the rash and until all abnormal discharges from the nose, ears, and throat have disappeared and until the cough has ceased.

Mumps, until 2 weeks after the onset of the disease and all swelling of glands has disappeared.

Acute anterior poliomyelitis (infantile paralysis), until 3 weeks after the onset of the disease, and until the temperature has returned to normal. [As amended later in 1917.]

Scarlet fever, until 30 days after the onset of the disease and until all abnormal discharges from the nose, ears, throat, or suppurating glands have ceased.

Smallpox, until 14 days after the onset of the disease and until scabs have all separated and the scars completely healed.

Whooping cough, until at least 3 weeks after the onset of the disease, and until paroxysmal coughing has ceased.

REG. 35. *Sale of foods forbidden in certain cases.*—When a case of diphtheria, amebic or bacillary dysentery, epidemic cerebrospinal meningitis, scarlet fever, smallpox, paratyphoid fever, or typhoid fever exists on any farm, dairy, or other premises producing milk, cream, butter, cheese, or other foods through which the infection of any of the above-named diseases might be conveyed, no such foods shall be sold or delivered from such farm, dairy, or other premises unless a written permit for the sale or distribution of such foods shall have been issued by the executive officer of the local board of health or by a representative of the State department of health.

REG. 36. *Destruction of foods in certain cases.*—When a case or carrier of diphtheria, amebic or bacillary dysentery, epidemic cerebrospinal meningitis, scarlet fever, smallpox, paratyphoid fever, or typhoid fever exists on any farm, dairy, or other premises producing milk, cream, butter, cheese, or other foods through which the infection of any of the diseases named herein may be conveyed, the director of health of New Jersey or the executive officer of the local board of health may destroy or order the destruction of any such foods which in his opinion may have been so contaminated as to be liable to cause disease; or he may cause such foods to be treated in such a manner as will destroy any infective material with which they may be contaminated.

REG. 37. *Handling of food forbidden in certain cases.*—No person affected with any communicable disease which may be transmitted through food, or who is a carrier of the causative agent of any such disease, shall handle food or food products intended for sale or distribution, which are likely to be consumed raw or liable to convey infective material.

No person who resides, boards, or lodges in a household where he may come in contact with any person affected with amebic or bacillary dysentery, diphtheria,

scarlet fever, paratyphoid fever, or typhoid fever, or any person who is a carrier of the causative agent of any such disease, shall handle food or food products intended for sale or distribution.

No waiter, cook, or other employee of a boarding house, hotel or restaurant, or other place where food is served, who is affected with any communicable disease which may be transmitted through food or food products, and no person who is a carrier of the causative agent of any such disease, shall prepare, serve, or handle food for others in any manner whatsoever.

No waiter, cook, or other employee of a boarding house, hotel or restaurant, or other place where food is served, who lodges, or visits in a household where he comes in contact with any person affected with amebic or bacillary dysentery, diphtheria, scarlet fever, paratyphoid fever or typhoid fever, or with any person who is a carrier of the causative agent of any such disease, shall prepare, serve, or handle food for others in any manner whatsoever.

Any waiter, cook, or other person employed in any hotel, restaurant, boarding house, or other place where cooked food is offered for sale, who handles or prepares food, may be required to submit to a physical examination by a medical inspector of any local board of health or of the State department of health, for the purpose of ascertaining whether or not he is affected by any communicable disease, whenever in the judgment of the health officer such examination may be necessary.

REG. 38. *Carriers of disease germs.*—When the executive officer or other duly authorized representative of a local board of health or of the State department of health, has reason to believe that a person may be a carrier of disease germs, such officer or representative may require that materials for examination shall be taken from such person, and it shall be the duty of such person to furnish the necessary specimens for examination or to permit said officer or representative to collect such specimens.

REG. 39. *Determination of diagnosis.*—Whenever the executive officer of a local board of health or the director of health of New Jersey shall deem it necessary to establish the true character of any disease which in his opinion may be communicable, a medical examination of the person supposed to be affected by such disease may be required, and it shall be the duty of such person to submit to such examination.

REG. 40. *Inoculation with living bacteria.*—The use of living bacteria in the inoculation of human beings is hereby prohibited until full and complete data regarding the methods of use, including a specimen of the bacteria and other agents employed therewith, and a full account of the details of preparation, dosage, and administration shall have been submitted to the director of health of New Jersey, and until permission shall have been granted in writing by him for the use of the same.

REG. 41. *Inspection of laboratories.*—The director of health of New Jersey may cause to be inspected every bacteriological or chemical laboratory doing work for the health authorities of the State or for any county or municipality thereof, and shall report the result of such inspection to the local authorities using such laboratory. He may also issue certificates of approval of such laboratories, such certificates to be revocable for cause at any time. No laboratory not approved by the director of health shall continue to do any work for any local board of health after having received due notification from the director of health that its methods are disapproved.

REG. 42. *Cleansing and disinfection required.*—Adequate cleansing of rooms, furniture and belongings, when deemed necessary by the executive officer of the local board of health, or required by this code or by law, shall immediately follow the recovery, death or removal of a person affected with a communicable disease. Such cleansing shall be performed by and at the expense of the occupant of said premises, upon the order and under the direction of the executive officer of the local board of health, in accordance with the provisions of this code.

Adequate disinfection of premises, furniture and belongings, when deemed necessary by the executive officer of the local board of health or required by this code or by law, shall immediately follow the recovery, death or removal of a person affected with a communicable disease. Such disinfection shall be performed by or under the direction of the executive officer of the local board of health in accordance with the regulations of the sanitary code and at the public expense unless otherwise provided by law.

REG. 43. *Destruction of furniture, clothing and other articles.*—Furniture, bedding, clothing, carpets, rugs, and other articles which may have been contaminated with infective material, and which are of such nature or in such condition that they cannot, in the opinion of the executive officer of the local board of health, be properly cleansed or disinfected, shall upon his order be destroyed in the manner designated by him, in accordance with the requirements of law.

REG. 44. *Cleansing and disinfection of the person.*—It shall be the duty of the patient, upon convalescence or recovery from any communicable disease, and of the nurse or other persons in attendance on such patient, throughout the course of the disease as well as at its termination, to cleanse, and, when necessary, to disinfect their persons.

REG. 45. *Letting of rooms forbidden while contaminated with infective material.*—No proprietor of a hotel, boarding house or lodging house, or owner of any dwelling, shall let for hire or cause or permit any one to reoccupy any room or apartment previously occupied by a person affected with diphtheria, epidemic cerebrospinal meningitis, measles, acute anterior poliomyelitis (infantile paralysis), scarlet fever, smallpox, typhus fever or tuberculosis, until such room or apartment has been cleansed, or disinfected under the directions of the executive officer of the local board of health.

When an order requiring the cleansing or disinfection of articles or premises is not complied with, the executive officer of the local board of health shall post a placard on the premises forbidding the occupancy of such rooms or premises until such order shall have been complied with. No person except an employee of a local board of health shall remove, mutilate, conceal or destroy any such order.

REG. 46. The regulations contained in chapters 4, 5, and 6 of the State sanitary code shall take effect on the first day of June, 1917.

Venereal Diseases—Notification of Cases—Quarantine—Treatment—Laboratory Examinations. (Ch. 232, Act Mar. 29, 1917.)

1. Every physician, superintendent or other person having control or supervision over any State, county or municipal hospital, sanatorium or other public or private institution in which any person suffering from or infected with a venereal disease, such as chancroid, gonorrhea, syphilis or any of the varieties or stages of such diseases is received for care or treatment or in which any person who is received into any such State, county or municipal hospital, sanatorium or other public or private institution suffering from any other disease, but is found to be also infected with any venereal disease such as chancroid, gonorrhea, syphilis or any of the varieties or stages of such diseases, shall immediately after such case of sickness or disease has been received into said institution report such case of sickness or disease to the department of health of this State. Such report shall state the name, address, color, sex and nationality of the person and the age as nearly as practicable, together with the character of the disease and the probable source of infection and whether previously reported or not, and if so, when, where and by whom; and every physician, superintendent or other person having control or charge over any State, county or municipal hospital, sanatorium or other public or private institution in which any case of venereal disease set out in this section is received for cure or treatment, who shall fail to perform the above-mentioned duty at the time and in the manner named, shall be liable to a penalty of \$50 for each such failure.

2. Every physician, nurse or other person treating or attempting to treat by prescription, formula, patented or proprietary medicine or compound or otherwise, and every physician, nurse or other person selling or giving away any prescription, formula, patented or proprietary medicine or compound, which either by itself or in connection or conjunction with any other treatment, medicine or compound is claimed to be useful, or to cure, relieve or to arrest in any way or manner any venereal disease such as chancroid, gonorrhea, syphilis or any of the varieties or stages thereof, shall report immediately to the department of health of this State the name, sex, address, color and nationality of the said person so infected with such disease, and the age as nearly as practicable, together with the character of the disease and the probable source of infection and whether previously reported or not, and if so, when, where and by whom; and every physician, nurse or other person treating or attempting to treat in any manner any of the venereal diseases or varieties or stages thereof, and every physician, nurse or other person selling or giving away any prescription, formula, patented or proprietary medicine or compound for the uses and purposes mentioned in this section who shall fail to perform the above-mentioned duty at the time and in the manner named, shall be liable to a penalty of \$50 for each such failure.

3. The department of health of this State shall make and enforce such rules and regulations for the quarantining and treatment of venereal diseases such as chancroid, gonorrhea, syphilis or any of the varieties or stages of such diseases reported to it as may be deemed necessary for the protection of the public. Said department of health shall not disclose the names or addresses of such persons reported or treated to any person other than a prosecuting officer or in court in prosecutions under this or any other State law.

4. The department of health of this State shall provide facilities for the free bacteriological examination of discharges for the diagnosis of gonorrheal infections, and also shall provide, at cost, vaccines or antitoxins for the treatment of such infections. And the said department shall make, at the expense of the State, the Wasserman or other approved tests or examine smears for the diagnosis of syphilis; and shall furnish the treatment known as "salvarsan" or other accredited specific treatment at cost. But such diagnosis and treatment shall not be furnished until the data required for the registration of the case has been furnished by the physician, nurse, or institution treating the patient.

5. For the expenses of carrying into effect the purposes of this act, the sum of \$2,000 is hereby appropriated annually, when included in any annual or supplemental appropriation bill.

Venereal Diseases—Unlawful for Infected Persons to Marry or Have Sexual Intercourse. (Ch. 23, Act Mar. 14, 1917.)

1. Any person who, knowing himself or herself to be infected with a venereal disease, such as chancroid, gonorrhea, syphilis or any of the varieties or stages of such diseases, marries, shall be guilty of a misdemeanor.

2. Any person who, while infected with a venereal disease, such as chancroid, gonorrhea, syphilis or any of the varieties or stages of such diseases, has sexual intercourse, shall be guilty of a misdemeanor.

Communicable Disease Hospitals in Cities—Establishment. (Ch. 144, Act Mar. 27, 1917.)

1. Section 1 of the act [An act to amend an act entitled "An act to authorize and provide for the establishment and maintenance of hospitals for contagious diseases for cities in this State," approved March 23, 1900, which amendatory act was approved March 18, 1913] to which this is an amendment be and the same is hereby amended so as to read as follows:

1. Whenever the board of health of any city of this State shall, by resolution passed by the votes of a majority of the members thereof, declare that it is necessary to establish and maintain in and for such city a hospital which shall be devoted exclusively to the treatment and relief of persons suffering from contagious and infectious diseases, and setting forth the estimated cost thereof, a copy of the said resolution, certified under the hands of the president or chairman and secretary or clerk of such board or body, shall be forthwith transmitted to the common council, board of aldermen, or other board having charge and control of the finances of such city, and thereupon such financial board, by resolution, shall make an appropriation or appropriations as hereinafter mentioned; that is to say, in all cities having by the census last preceding the adoption of such resolution a population of not more than 15,000, a sum not exceeding \$10,000; in all cities having by such census a population exceeding 15,000 and not exceeding 30,000, a sum not exceeding the sum of \$20,000; in all cities having by such census a population exceeding 30,000 and not exceeding 100,000, a sum not exceeding the sum of \$75,000, and in all cities having by such census a population exceeding 100,000 a sum not exceeding the sum of \$125,000, nor shall the minimum of such appropriations be less than one-fourth of the said amounts in each case respectively; for the purchase of lands, if required, and the erection and furnishing of a suitable building or buildings in and for such city by such board of health, and upon the adoption of such resolution by such financial board, such board shall from time to time issue bonds in the corporate name of such city for the amount so appropriated, which bonds shall be of such denomination as such financial board shall determine, and shall be made payable in not less than 20 years nor more than 50 years; they shall bear interest at a rate not greater than 4 per centum per annum, which shall be payable semiannually and may be registered or coupon bonds, or may be registered and coupon bonds combined, at the option of said financial board; they shall be sold at public or private sale, but for not less than par and accrued interest, and there shall be raised by tax in each year the interest on the whole amount of the bonds so issued, together with at least 1 per centum per annum of the principal of such bonds for a sinking fund, to be paid to the commissioners of the sinking fund of such city for the purpose of meeting the said bonds when they shall become due; there shall further be raised in each annual tax levy in any city for which such hospital is established an amount sufficient to provide for the support and maintenance of such hospital in that year: *Provided, however,* That no city shall issue bonds under the provisions of this act where the amount of such bonds, together with all other funded and floating indebtedness of such city then outstanding after deducting the available sinking fund thereof, shall exceed 10 per centum of the valuation of the real and personal property of said city as assessed for municipal purposes for the year next prior to the incurring of such indebtedness.

And whenever any city has already erected such a hospital, but has not sufficient funds to fully furnish or equip the same out of the proceeds of bonds already sold hereunder, then in any such case the common council, board of aldermen or other board having charge of and control of the finances of said city, on the request of the board of health of said city may issue additional bonds hereunder in a sum sufficient to fully and properly equip and furnish such hospital: *Provided, however,* That the total of such additional bonds, together with those already issued, shall, in no case exceed the amount authorized to be originally issued hereunder in any such city.

Communicable Disease Hospitals in Certain Counties—Annual Appropriation for Construction, Maintenance, and Repair. (Ch. 257, Act Mar. 29, 1917.)

1. Amend section 1 to read as follows:

1. Section 1 of the act [An act to amend an act entitled "A further supplement to an act entitled 'An act to incorporate the chosen freeholders in the respective counties of this State' (Revision), approved April 16, 1846," which supplement was approved

April 11, 1889, the amendatory act having been approved April 6, 1911] to which this is an amendment be and the same is hereby amended to read as follows:

1. The board of chosen freeholders in any county of the first class within this State, and in which there is or may hereafter be established by law a county board of health, shall appropriate and set apart a sum not to exceed \$7,500 annually for the construction, maintenance and repair of a public hospital for such county for the treatment of cases of a contagious nature, other than smallpox.

2. Amend section 2 to read as follows:

2. Section 2 of the act to which this is an amendment be and the same is hereby amended to read as follows:

2. It shall and may be lawful for such board of chosen freeholders to render annually to such board of health the said sum not to exceed \$7,500, to be by said board of health expended for the purposes aforesaid.

County Tuberculosis Hospitals—Powers and Duties of Superintendent—Admission, Care, and Treatment of Patients—Commitment of Persons to Hospitals by Order of Court. (Ch. 172, Act Mar. 27, 1917.)

1. That section 4 of the act¹ [An act concerning tuberculosis, approved March 28, 1912] of which this is an amendment shall be and the same is hereby amended to read as follows:

4. The superintendent shall be the chief executive officer of the hospital, and subject to the by-laws, rules and regulations thereof, and to the powers of the board of managers.

Shall, with the consent of the board of managers, equip the hospital with all necessary furniture, appliances, fixtures and other needed facilities for the care and treatment of patients, and for the use of officers and employees thereof, and shall purchase all necessary supplies.

Shall have general supervision and control of the records, accounts and buildings of the hospital, and all internal affairs, and maintain discipline therein, and enforce compliance with and obedience to all rules, by-laws and regulations adopted by the board of managers for the government, discipline and management of said hospital and the employees and inmates thereof. He shall make such further rules, regulations and orders as he may deem necessary, not inconsistent with law or with the rules, regulations and directions of the board of managers.

Shall, with the consent of the board of managers, appoint such resident officers and such employees as he may think proper and necessary for the efficient performance of the business of the hospital, and prescribe their duties; and for cause stated in writing, after an opportunity to be heard, discharge any such officer or employee at his discretion.

Shall cause proper accounts and records of the business and operations of the hospital to be kept regularly from day to day in books and on records provided for that purpose; and see that such accounts and records are correctly made up for the annual report to the board of freeholders, as required by section 3 of this chapter, and present the same to the board of managers, who shall incorporate them in their report to the said supervisors.

Shall receive into the hospital, under the general direction of the board of managers, in the order of application, any person found to be suffering from tuberculosis in any form, who has a legal settlement in the county, or who has been an actual resident and inhabitant of the county for a period of at least 1 year prior to his application for admission to said hospital, or any person who may be committed to said hospital

¹ Pub. Health Repts. Reprint 200, p. 136.

by an order of any judge of the court of common pleas. Said superintendent shall cause to be kept proper accounts and records of the admission of all patients, their names, age, sex, color, marital condition, residence, occupation and place of past employment.

Shall cause a careful examination to be made of the physical condition of all persons admitted to the hospital, and provide for the treatment of each such patient according to his need; and shall cause a record to be kept of the condition of each patient when admitted and from time to time thereafter.

Shall temporarily discharge from said hospital any patient who shall wilfully or habitually violate the rules thereof; or who is found not to have tuberculosis; or who is found to have recovered therefrom; or who for any other reason is no longer a suitable patient for treatment therein; and shall make a full report thereof at the next meeting of the board of managers; who shall make such final disposition of the case as they may think proper.

Shall collect and receive all moneys due the hospital, keep an accurate account of the same, report the same at monthly meeting of the board of managers, and transmit the same to the county collector within 10 days after such meeting.

Shall, before entering upon the discharge of his duties, give a bond in such sum as the board of managers may determine to secure the faithful performance of such duties.

2. That section 5 of the act of which this is an amendment shall be and the same is hereby amended to read as follows:

5. Any resident of the county in which the hospital is situated desiring treatment in such hospital may apply in person to the superintendent or to any reputable physician for examination, and such physician, if he find that said person is suffering from tuberculosis in any form, may apply to the superintendent of the hospital for his admission. Blank forms for such applications shall be provided by the hospital, and shall be forwarded by the superintendent thereof gratuitously to any reputable physician in the county upon request. So far as practicable, applications for admission to the hospital shall be made upon such forms. The superintendent of the hospital, upon receipt of such application, if it appears therefrom that the patient is suffering from tuberculosis, and if there be a vacancy in the said hospital, shall notify the person named in such application to appear in person at the hospital. If upon personal examination of such patient, or of any patient applying in person for admission, the superintendent and board of managers are satisfied that such person is suffering from tuberculosis, he shall admit him to the hospital as a patient. All such applications shall state whether, in the judgment of the physician, the person is able to pay in whole or in part for his care and treatment while at the hospital; and every application shall be filed and recorded in a book kept for that purpose in the order of their receipt. When said hospital is completed and ready for the treatment of patients, or whenever thereafter there are vacancies therein, admission to said hospital shall be made in the order in which the names of applicants shall appear upon the application book, to be kept as above provided, in so far as such applicants are certified to by the superintendent to be suffering from tuberculosis. No discrimination shall be made in the accommodation, care or treatment of any patient because of the fact that the patient or his relatives contribute to the cost of his maintenance in whole or in part, and no patient shall be permitted to pay for his maintenance in such hospital a greater sum than the average per capita cost of maintenance therein, including a reasonable allowance for the interest on the cost of the hospital; and no officer or employee of such hospital shall accept from any patient thereof any fee, payment or gratuity whatsoever for his services: *Provided, however,* That the said board of managers, with the consent of the board of chosen freeholders, may set apart a building, or portion of a building, for the care of patients suffering from tuberculosis who are able to pay a sum in excess of the actual cost of their maintenance; and the

said board of managers are authorized to fix a sum for the care and maintenance of said patients, which patients shall be known as private patients: *Provided, further,* That the standard of care and maintenance for indigent patients shall be the standard usually maintained, and that no private patient shall be admitted to or retained in the hospital to the exclusion of any indigent patient properly admissible.

3. That section 11 of the act of which this is an amendment shall be and the same is hereby amended to read as follows:

11. If any person fails to obey any of said rules or regulations, or is an actual menace to the community, the said person may be committed to the county hospital by any judge of the court of common pleas upon proof of service upon said person of said rules and regulations and proof of violation thereafter, or upon proof by any health officer of the municipality in which said person may reside that said person is suffering from tuberculosis, and is an actual menace to the community. Two days' notice of the time and place of hearing shall in all cases be served upon the person to be committed. Proof of such service shall be made at the hearing. The court may also make such order for the payment for care and treatment as may be proper. After commitment such person may be discharged by the said court at any time when said court thinks it proper to do so.

Local Boards of Health—Powers. (Ch. 166, Act Mar. 27, 1917.)

1. Section 12 of the act [An act to establish in this State boards of health and a bureau of vital statistics, and to define their respective powers and duties, approved March 31, 1887] of which this is amendatory be and the same hereby is amended to read as follows:

12. The said local boards of health shall have power to pass, alter or amend ordinances, and make rules and regulations in regard to the public health within their several jurisdictions for the following purposes, but such ordinance shall have three readings before its final passage, and at least one week shall intervene between the second and third readings of said ordinance, and a notice stating the title of said ordinance, and the date when it passed its second reading, shall be published at least one week prior to its final passage in at least one newspaper published in the township, city, town, borough or other local municipal government, if any newspaper is published therein, and if there be no newspaper published therein then in some newspaper of the county circulating in such township, city, town, borough or other local municipal government:

I. To aid the enforcement of the law as to the adulteration of all kinds of food and drink, and to prevent the sale or exposure for sale of any kind of meat or vegetable that is unwholesome or unfit for food;

II. To define and declare what shall constitute nuisances in lots, streets, docks, wharves, vessels and piers, and all public or private places;

III. To prevent the spreading of dangerous epidemics or contagious diseases, and to declare that the same has become epidemic, and to maintain and enforce proper and sufficient quarantine whenever deemed necessary;

IV. To regulate, control and prohibit the keeping or slaughtering of all kinds of animals;

V. To regulate, control and prohibit the accumulation of offal and all decaying or vegetable substances;

VI. To prohibit and remove any offensive matter or abate any nuisance in any public highway, road, street, avenue, alley or other place, public or private, and to cause the removal at the expense of the owner;

VII. To compel the return of all births, deaths and marriages by physicians, midwives, nurses, clergymen, magistrates and other persons professional officiating at such death, birth or marriage;

VIII. To secure the sanitary condition of tenement houses, jails, prisons and all public buildings;

IX. To regulate, control or prohibit the cleaning of sewers, the dumping of garbage, the filling of sunken lots, or marshlands, and to provide for the filling up of such lots or lands;

X. To regulate and control the method of construction, the location, the method or manner of emptying or cleaning, and the frequency of cleaning cesspools and privies;

XI. To regulate and control the mode of connection of house drainage and plumbing with outside sewers, cesspools or other receptacles;

XII. To protect the public water supply and prevent the pollution of any stream of water or well, the water of which is used for domestic purposes, and to order not to be used or closed any well, the water of which is polluted or detrimental to the public health;

XIII. To remove persons infected to a suitable place, in case of contagious or infectious disease, where, in the judgment of the board, such removal is necessary and can be accomplished without any undue risk to the person or persons diseased, and to disinfect the premises when deemed necessary;

XIV. To regulate the burial and disinterment of human bodies;

XV. To regulate the practice of midwifery: *Provided*, That no ordinance passed pursuant to the authority contained in this subdivision shall conflict in any way with the provisions of an act entitled "An act to regulate the practice of midwifery," approved March 28, 1892, or with any act amendatory thereof or supplemental thereto.

Local Boards of Health—Employees—Appointment and Duties. (Reg. Dept. of H., Apr. 17, 1917.)

CHAPTER 5. REGULATION 1. *Secretary*.—Every local board of health shall appoint a secretary, whose duty it shall be, in addition to the duties imposed upon him by said board, to keep an accurate record of all official actions of said board.

REG. 2. *Registrar of vital statistics*.—Every local board shall appoint a registrar of vital statistics, unless the appointment of such registrar is otherwise provided for by statute, whose duty it shall be, in addition to any other duties imposed upon him by said board, to receive and transmit to the director of health of the State of New Jersey, certificates of births, marriages and deaths now required by law to be made. In the case of any decedent who is a resident of some other State or municipality than that in which the death occurred, the registrar shall transmit forthwith a copy of the death certificate to the registrar of the place of usual residence of such person; the birth of any child of nonresident parents shall in like manner be reported to the registrar of the State or municipality of the place of usual residence of said parents.

REG. 3. *Executive officer*.—Every local board of health shall employ a person, not a member of said board, who shall be the executive officer of said board (designated hereinafter in this code as "health officer" or "executive officer"), who shall, in addition to the other duties that may be imposed upon him by said board, enforce the laws of the State relating to the public health, the provisions of the State sanitary code and the ordinances adopted by said local board. The executive officer shall be the person to whom all reports required by law or by this code shall be made, unless some other person is specifically designated by the local board to receive such reports. Such executive officer shall have secured, previous to employment, a license as health officer, issued under the provisions of chapter 215 of the laws of 1903.

In municipalities having a population of less than 10,000, such executive officer shall, before employment, have secured a license either as health officer or as sanitary inspector of the first class, issued under the provisions of chapter 215 of the laws of 1903: *Provided, however*, That any two or more boards of health may join in employ-

ing an executive officer: *And provided, further,* That when the total population of the combined municipalities by whom such officer is employed exceeds 10,000, then such officer shall have secured before appointment a license as health officer.

Milk and Cream—Licensing and Bonding of Dealers. (Ch. 74, Act Mar. 20, 1917.)

1. On or after July 1, 1917, no person, firm, association or corporation shall engage in or carry on the business of buying milk or cream in this State for the purpose of shipping or for sale, resale or manufacture, unless such business be regularly transacted or conducted at an office or station within the State and unless such person, firm, association or corporation be duly licensed as provided hereinafter. Every such person, firm, association or corporation before engaging in the business of buying milk or cream for the purposes aforesaid, shall, annually, on or before June 1, file an application with the secretary for agriculture for a license to transact such business. The application shall state the nature of the business, as hereinabove set forth, the full name or names of the person or persons or corporation applying for the license, and, if the applicant be a firm or association, the full name of each member of such firm or association, the city, town or village and street number at which the business is to be conducted, and such other facts as the secretary for agriculture shall prescribe. The applicant shall further satisfy the secretary for agriculture of his or its character, financial responsibility and good faith in seeking to engage in such business. The secretary for agriculture shall thereupon issue to such applicant, on payment of \$10, a license entitling the applicant to conduct the business of buying milk and cream from producers for the purpose aforesaid at an office or station at the place named in the application until the first day of July next following: *Provided, however,* That if application be made subsequent to July 1 in any year, said license shall run until the first of July next following. A license shall not be issued, however, to any applicant if during the year preceding the application a complaint from any producer and seller of milk and cream shall have been filed with the secretary for agriculture against such applicant for any grounds specified in section 3 hereof, and such complaint shall have been established as true and just to the satisfaction of the secretary for agriculture after such complaint shall have been investigated by the secretary for agriculture in the manner provided for in section 2 hereof. A license shall not be issued as provided in this section unless and until the applicant shall file with the secretary for agriculture as herein provided, a good and sufficient surety bond executed by a surety company duly authorized to transact business in this State in a sum not less than one and one-half times the estimated maximum monthly indebtedness of the applicant to the parties or persons from whom he may purchase or receive or may have purchased or received milk or cream, or unless the applicant shall be relieved from such requirement as hereinafter provided. Such bond shall be approved as to its form and sufficiency by the secretary for agriculture.

Such applicant may in lieu of such bond deposit with the secretary for agriculture money or securities in which banks may invest the moneys deposited therein, as provided by law, in an amount equal to the sum secured by the bond required to be filed as herein provided.

The bond required to be filed hereunder shall be given to the secretary for agriculture in his official capacity and shall be conditioned for the faithful compliance by the licensee with the provisions of this act and for the payment of all amounts due to persons who have sold milk or cream to such licensee, during the period that the license is in force. The money or securities deposited with the secretary for agriculture as above provided, shall constitute a separate fund and shall be held in trust for, and applied exclusively to, the payment of claims against the licensee making such deposit, arising from the sale of milk or cream to such licensee.

Upon default by the licensee in the payment of any money due for the purchase of milk or cream, which payment is secured by a bond or the deposit of money or securities as hereinbefore provided for, the creditor may file with the secretary for agriculture, upon a form prescribed by him, a verified statement of his claim. If such creditor shall have reduced such claim to judgment, or shall thereafter and before the commencement of the action by the secretary for agriculture, as hereinafter provided for, reduce such claim to judgment, a transcript of such judgment shall also be filed with the secretary for agriculture.

Such statements may be filed at any time during the period of the license for purchases made during such period and within 90 days from the termination of such period.

After the expiration of 90 days from the termination of any license period the secretary for agriculture shall, by proper action wherein all such creditors and any surety upon any bond given as hereinbefore provided for and the licensee shall be parties, proceed to determine the amount due each such creditor, and the judgment rendered in such action shall be enforced ratably for such creditors against the surety on the bond, if one there be, or against the moneys or securities deposited as hereinbefore provided for. If any creditor shall have reduced his claim to judgment such judgment shall be presumptive proof of the amount due such creditor in any action brought by the secretary for agriculture as hereinbefore provided for.

Every bond given pursuant to the provisions hereof shall be applicable, in the first instance, to the payment of all claims arising during the license period for which such bond shall continue, and filed either during such period or within 90 days after the expiration thereof. If all such claims shall be paid the balance available upon such bond shall be devoted to the extinguishment ratably of claims arising during such license period, but for which statements shall not have been filed until after 90 days after the expiration of such period.

All moneys and securities, deposited as herein provided for, shall be applicable, in the first instance, to the extinguishment of claims, properly filed, arising during the license period for which such moneys or securities were originally deposited, and if, after the extinguishment of such claims, there shall be a surplus remaining, such surplus shall be devoted to the extinguishment of claims arising during any preceding license period which were properly filed as hereinbefore provided, all claims for any one license period to be of a parity. Any surplus remaining after the extinguishment of such prior claims shall be added to the moneys or securities then on deposit with the secretary for agriculture, or, if there be at that time on file with the secretary for agriculture a bond given pursuant to this section, or if there be then on deposit with the secretary for agriculture additional moneys or securities deposited as herein provided for, and if such bond or such moneys or securities, as the case may be, shall, in the opinion of the secretary for agriculture, be sufficient, such surplus shall be returned to the licensee.

A person or corporation licensed hereunder shall make a verified statement of his or its disbursements during a period to be prescribed by the secretary for agriculture, containing the names of the persons from whom such products were purchased, and the amount due to the vendors thereof. Such statement shall be submitted to the secretary for agriculture when requested by him and shall be in form as prescribed by the secretary for agriculture. If it appears from such statement or other facts ascertained by the secretary for agriculture, upon inspection or investigation of the books and papers of such licensee as authorized by section 2 of this act, that the security afforded to persons selling milk or cream to such licensee by the bond executed or deposit made by such licensee as herein provided does not adequately protect such vendors, the secretary for agriculture may require such licensee to give an additional bond or to deposit additional money or securities, to be executed or deposited as above provided, in a sum to be determined by the secretary for agriculture, but not exceeding

by more than 50 per centum the maximum amount paid out by such licensee to sellers of milk in any one month: *Provided, however,* That the maximum amount of the bond or deposit required from any applicant under the provisions of this section shall be \$100,000; and that any applicant filing a bond or depositing money or securities in such maximum amount may be exempted from filing either the statements of milk purchased or the statements of disbursements in this section provided for.

If the applicant for a license under this section be a person who is a resident of this State or a domestic corporation, the secretary for agriculture may, notwithstanding the provisions of this section, if satisfied from an investigation of the financial condition of such person or domestic corporation that such person or corporation is solvent and possessed of sufficient assets to reasonably assure compensation to probable creditors, by an order filed with the department of agriculture, relieve such person or corporation from the provisions of this section requiring the filing of a bond.

The term "station" or "milk gathering station," as used in this and ensuing sections of this act, shall include any established office where the business of buying milk or cream as herein provided for is carried on, with or without a place or premises in connection therewith for the physical handling of milk or cream: *Provided,* That such station or office shall be a suitable place for keeping such records and accounts and for posting such notices and statements as are required or as may hereafter be ordered under the provisions of this act, and for keeping for inspection, as hereinafter provided, a copy of the license under which the business of the licensee is conducted.

2. The secretary for agriculture and his assistants shall have power to investigate upon the complaint of any interested person, or of his own motion, the record of any person, firm or corporation applying for or holding a license, or any transaction involving the purchase of milk for shipment as provided in section 1; and for such purpose may examine the ledgers, books of account, memoranda or other documents of any such person, firm, association or corporation applying for or holding a license and may take testimony therein under oath; but information relating to the general business of any such person, firm, association or corporation, disclosed by such investigation and not relating to the immediate purpose thereof, shall be deemed of a confidential nature by the secretary for agriculture, his assistants, representatives and employees. When a complaint is filed with the secretary for agriculture, he shall attempt to secure an explanation or adjustment, and, failing this within 10 days, he shall cause a copy of the complaint, together with a notice of the time and place for a hearing thereon, to be served personally or by mail upon said applicant or licensee. If served by mail, such complaint and notice shall be directed to the applicant or licensee at his place of business, with postage fully prepaid thereon. Such service shall be made at least 7 days before the hearing. At the time and place appointed for such hearing, the secretary for agriculture or his assistants shall hear the parties to the complaint, shall have power to administer oaths and shall enter in the records of the office of the secretary for agriculture a decision either dismissing such complaint or specifying the facts which he deems established on such hearing.

3. The secretary for agriculture may decline to grant a license or may revoke a license already granted when he is satisfied of the existence of the following cases or either of them:

(1) Where a money judgment has been secured by any milk producer and has been entered against such applicant or licensee and remains unsatisfied of record.

(2) Where there has been a failure to make prompt settlements to persons from whom he buys milk, with intent to defraud.

(3) Where there have been combinations to fix prices.

(4) Where there has been a continual course of dealing of such nature as to satisfy the secretary for agriculture of the inability of the applicant or licensee to properly conduct the business or of an intent to deceive or defraud creditors.

(5) Where there has been a continued and persistent failure to keep records required by the secretary for agriculture or by law; or where there is a refusal on the part of the licensee to produce books, accounts or records of transactions in the carrying on of the business for which such license was granted.

4. The action of the secretary for agriculture in refusing to grant a license, or in revoking a license granted under section 1, shall be subject to review by any court of competent jurisdiction, and if such proceedings are begun to review the revocation of license, the license shall be deemed to be in full force and effect until the final determination of said proceedings of review.

5. Every proprietor of a milk gathering station shall keep, in such form as the secretary for agriculture may prescribe, a record of transactions of purchases of milk or cream by him, and he shall, at least semimonthly, deliver to each person from whom he receives or purchases milk or cream and in the unit of measure used in computing the amount due therefor, an itemized statement of the several amounts or quantities of such milk or cream so received or purchased at such milk station from such person during the prior half month, or, if statements are delivered more frequently than semimonthly, during the period of time which has elapsed since the delivery of such last prior statement. If the milk or cream is purchased or received on a butter fat basis, such statements shall include the percentage, or average percentage, of butter fat contained in said milk or cream as determined by tests periodical or otherwise. Every such proprietor of a milk gathering station shall post in a conspicuous place in such milk station a schedule of the prices being paid for milk or cream, including the premiums paid or deductions made, if any, for milk or cream containing milk fat either in excess or in lesser amount than the agreed standard, and shall keep a correct account of all the milk or cream daily received or purchased from each person at such milk station, which account shall be open to inspection by said person.

6. Every person, firm, association or corporation licensed under the provisions of this act and carrying on or conducting business under such license shall post in a conspicuous place in or at the place of business of such licensee a copy of such license to be furnished by the secretary for agriculture, to be kept so posted and exposed for inspection by any person or persons who may properly make such inspection.

7. If either party to the transaction of purchase and sale between a milk producer or a milk seller and a licensed buyer of milk shall be dissatisfied relative to any transaction of purchase and sale of milk between a milk seller and a licensed buyer of milk, he may apply to the secretary for agriculture, in writing, within 60 days after the delivery of such milk to the licensed buyer, for investigation. The secretary for agriculture shall treat such application as a complaint and shall cause a full investigation of the transaction complained of to be made either by himself or one of his assistants, in the manner provided for in section 2.

8. Any person who, being a buyer of milk for the purposes set forth in section 1, whether such person be licensed or whether his business be transacted at a station or otherwise, shall (a) fail to make prompt payments for milk purchased, with intent to defraud, or (b) shall make any false or misleading statement or statements enumerated in sections 1 to 5, inclusive, with intent to deceive, or (c) enter into any combination to fix prices, or (d) not being licensed, shall conduct the business of buying milk for shipment as provided in section 1, or (e) being licensed or otherwise, engages in such business without having a station or office therefor, or (f) fails to conform to any requirement of or violates any provision of sections 1 to 5, inclusive, with intent to deceive a seller of milk, shall be guilty of a misdemeanor.

Creameries and Milk Pasteurizing Plants—License—Sanitary Regulation. (Reg. Dept. of H., Feb. 27, 1917.)

1. (a) Every person, firm or corporation not now holding a license who operates or conducts or desires to operate or conduct a creamery or milk pasteurizing plant shall make application to the Department of Health of the State of New Jersey for a license to operate such creamery or milk pasteurizing plant. Such application shall be in writing upon blanks which will be furnished by the State department of health upon request and shall be signed by the person, firm or corporation making the application.

(b) Upon receipt of an application to conduct a creamery or milk pasteurizing plant, together with such information as may be required by these rules, an inspection will be made by a representative of this department of the premises designated in the application. If it appears as a result of this inspection that said creamery or milk pasteurizing plant is so conducted and equipped that the business to be conducted therein can be performed in a cleanly manner and in compliance with the rules and regulations adopted by the State department of health and with the provisions of law, a license will be issued. All licenses must be renewed yearly. The date of termination of all licenses is July 1.

(c) In the case of new buildings, plans and specifications shall be submitted to the State department of health for approval when application for a license is made and before construction is begun. It is advised that plans be submitted for approval for any alterations or changes at creameries or milk pasteurizing plants already licensed which may affect the operation of the plant.

(d) The person, firm or corporation in whose name a license to operate a creamery or milk pasteurizing plant is issued will be held responsible for any violation of law or of the rules of the State department of health relating to creameries and milk pasteurizing plants.

(e) A license to operate a creamery or milk pasteurizing plant is not transferable.

2. No person affected with a disease which may be transmitted through milk or its products, or who shall care for or come in contact with any person so affected, shall handle milk or its products.

3. Milk, cream and other milk products when handled or stored in any creamery or milk pasteurizing plant shall be securely protected at all times from flies, dust and all other foreign or injurious contamination.

4. No part of any building occupied as a creamery or milk pasteurizing plant shall be used as a dwelling or kitchen, and no family washing shall be done therein.

5. No part of any building occupied as a creamery or milk pasteurizing plant shall be used as a stable.

6. The floors of all rooms where milk or its products are handled shall be constructed of cement or other impervious material and shall be so graded that waste liquids will be readily removed.

7. Waste liquids shall be conducted to a point outside the building and disposed of in accordance with the provisions of law and in such a manner as will not create a nuisance.

8. The side-walls and ceilings of all rooms where milk or its products are handled shall have smooth surfaces and shall be kept clean. Painting with a light-colored paint at frequent intervals is recommended.

9. Rooms in which milk or its products are pasteurized or otherwise handled and rooms in which utensils, apparatus and containers are washed shall be well lighted and ventilated. Vent pipes or other outlets of adequate size for the removal of steam should be provided.

10. The washing of containers and utensils should be avoided if possible in rooms in which milk or its products are handled. If such washing is done in such rooms it shall not be carried on during the time of milk handling.

11. All openings to the outside air shall be so screened as to exclude flies from the creamery.

12. All creameries and milk pasteurizing plants shall be provided with an abundant supply of pure hot and cold water.

13. Apparatus and utensils used in the handling of milk or its products shall be of such material and construction as to enable them to be readily cleansed.

14. Receiving and holding vats, storage tanks and bottle fillers shall be built of metal or other suitable material and shall be provided with closely fitting metal covers.

15. Milk pipes and pipe fittings shall be constructed of metal with smooth interior surfaces and shall be so connected that leakage will not occur. The amount of milk piping in use should be reduced to a minimum. All pipes shall be disconnected and cleansed daily.

16. All apparatus shall be thoroughly cleansed each day. Such apparatus shall after use be washed with cold water, then scrubbed with a warm alkali solution and finally rinsed with scalding water or steamed. Immediately before use all apparatus shall again be subjected to scalding water or steam.

17. Cans or receptacles which are badly worn or rusted on the inside surface, or in such a condition that they cannot be readily cleansed, shall not be used to contain milk or its products.

18. No milk or cream shall be offered for sale or distribution as "pasteurized" unless it shall have been heated to a temperature of 142 to 145 degrees Fahrenheit and held at that temperature for 30 minutes.

19. Milk or cream, after pasteurization, shall be rapidly cooled to a temperature of 50 degrees Fahrenheit or below, and maintained at that temperature until distributed or shipped.

20. Pasteurized milk shall not be held, kept, offered for sale or sold in bottles unless such milk has been bottled at the place and on the day of pasteurization.

21. No milk or cream shall be pasteurized a second time.

22. Every pasteurizing apparatus shall be equipped with a recording thermometer so arranged as to show the temperature to which the milk has been heated and, if possible, the time which it has been held.

23. Recording thermometer charts shall be clear and intelligible and shall show the dates of pasteurization of milk and cream. Such charts shall be kept on file at the pasteurizing plant for not less than 90 days and shall be open to inspection to representatives of the Department of Health of the State of New Jersey.

24. Surface coolers shall be provided with suitable covers of smooth metal or glass, except when such coolers are maintained in a separate room used for no other purpose.

25. Containers in which pasteurized milk or cream is shipped or delivered shall be plainly tagged, capped or labeled "pasteurized" and the said tags, caps or labels shall be marked with the location of the pasteurizing plant, name of proprietor of the business which is conducted at the said pasteurizing plant and the day on which milk was pasteurized.

26. Bottle caps shall be stored in a clean place and protected from contamination.

27. Bottles, cans or other receptacles used as containers for milk and its products shall be cleansed by washing with a solution of at least 1 per cent alkali at a temperature of not less than 125 degrees Fahrenheit, scrubbed inside and out with suitable brushes and then rinsed with warm water; or by some other method: *Provided*, That such method results in the same degree of cleanliness as the method described. After such washing and rinsing, said bottles shall be scalded with hot water or steam.

28. Bottles, after washing, shall be so stored as to protect them against contamination until filled.

29. Cans, immediately after washing, unless covered, shall be stored in an inverted position upon racks constructed preferably of metal. The lids of all milk cans shall be stored on suitable racks in such a manner as to avoid contamination.

30. Clean outer garments shall be worn by employees while handling milk or its products.

31. No person shall smoke or expectorate anywhere in any room in which milk or its products are handled.

32. Toilet facilities shall be provided for the use of employees, but no water-closet or privy shall communicate directly with any room used for handling milk or its products, or with any room in which utensils are washed. If privies are provided, they shall be so constructed and maintained that flies cannot gain access to the excremental matter contained therein, and such excremental matter shall be prevented from flowing over or upon the surface of the ground. Every privy or other receptacle for human excrement located within 100 feet of any stream, the waters of which are used for drinking or domestic purposes, shall be provided with a water-tight vault. Toilet rooms and privies shall be kept clean.

33. All creameries shall be provided with suitable sinks at which employees may wash their hands and soap and clean towels shall be provided convenient to wash sinks. Employees must wash their hands before beginning work and after visiting the toilet.

34. Violation of the above rules or any of them renders the violator liable to a penalty and the license of the creamery or pasteurizing plant in which the violation was committed may be revoked.

Milk By-Products—Pasteurization. (Ch. 261, Act Mar. 31, 1917.)

1. Every owner, operator or manager of a cheese factory, creamery, skimming station or other place where milk is received and the by-products distributed, shall, before returning to or delivering to any person or persons any skim milk, whey, butter-milk, or other milk by-products to be used for feeding purposes for farm animals, cause such skim milk, whey, buttermilk, or other milk by-products to be thoroughly pasteurized by heating the same to 145 degrees Fahrenheit and holding at that temperature for not less than 30 minutes, or to 185 degrees without holding: *Provided*, That the provisions of this act shall not apply to cheese factories or creameries that pasteurize the milk or cream prior to manufacture.

2. Any person or persons violating any of the provisions of this act shall, upon conviction, be subject to a penalty of not exceeding \$50 for the first offense, and to a penalty of not exceeding \$100 for the second and each subsequent offense. Any penalty incurred under the provisions of this act shall be sued for and recovered in an action of debt by and in the name of the Department of Agriculture of the State of New Jersey. All penalties collected under this act shall be paid by said department into the treasury of the State of New Jersey.

3. This act shall take effect September 1, 1917.

Cattle—Importation when Free from Tuberculosis and Other Transmissible Diseases. (Ch. 260, Act Mar. 31, 1917.)

1. Cattle from herds which have been officially accredited as tuberculosis free herds by the board or body having jurisdiction over tuberculosis in cattle in the State from which such cattle may be imported, and being duly authorized to accredit such herds as tuberculosis free herds, may be imported into this State at the discretion of the department of agriculture without being tuberculin tested if accompanied by a report of examination and tuberculin test made by a competent veterinarian, under the super-

vision of said board or body, not earlier than one year previous to the date of shipment, which certificate shall certify that the cattle are free from tuberculosis and all other transmissible diseases: *Provided, however,* That certificates shall accompany such shipment as prescribed by the act [An act concerning contagious and infectious diseases among cattle; regulating the importation of cattle into this State, and providing measures to check the spread of diseases among cattle in this State; creating the commission on tuberculosis among animals, prescribing its powers and duties, and fixing penalties for violations of this act, approved April 24, 1911] to which this act is a supplement, except in so far as the requirements of said act are specifically modified by this supplement.

Powers of Municipalities Relative to Sewers and Drains, Street Cleaning and Garbage and Refuse Disposal, Slaughterhouses, Water Supply, and Miscellaneous Health Matters. (Ch. 152, Act Mar. 27, 1917.)

ART. 21. *Sewers and drains.*—1. The governing body of every municipality, may, by ordinance, provide for and cause to be constructed within or without the municipality any main sewer or sewers, lateral sewer or sewers, intercepting sewer or sewers, storm sewer or sewers, underground drain or drains, system of sewers, system of drains, system of sewers and drains, sewer outlets, drain outlets, filtration beds, sewage disposal works, sewage receptacles, pumping stations, or any or all such improvements, and such other erections, works, establishments and fixtures as may be required to provide proper sewerage and drainage for the municipality; and may use and occupy any streets, roads, avenues, alleys and other public places, within or without the municipality, for such purpose or purposes, or any tidewater creek or watercourse or portion thereof, and may acquire by purchase, gift or condemnation, and take and appropriate in the name of and for the municipality any land or interest in land that may be needed therefor, within or without the municipality: *Provided, however,* That no work shall be undertaken, or any street, road, alley or other public place occupied, or land acquired under this article in any other municipality, without the consent of the governing body and the board of health of such other municipality, upon written application being made therefor, and in case of the refusal of the municipal authorities and local boards of health to grant such permission, then the municipality making the application may within 30 days after such refusal apply to the department of health of the State of New Jersey which shall have power to reverse the decision of the local authorities and grant the application for the erection of said disposal works upon being satisfied that the topographical and other physical conditions existing in the applying municipality are such as to make the erection of a disposal works within its boundaries impracticable as an improvement for the benefit of the entire municipality; and in case the local authorities grant the permit to locate such disposal works, and the same shall be deemed objectionable by the inhabitants of the municipality where it is proposed to locate such works, then 10 citizen freeholders thereof may, within 30 days after the granting of such permit, apply to the department of health of the State of New Jersey which shall have like power to reverse the decision of the local authorities and to prohibit the location of such disposal works upon being satisfied that the topographical and other physical conditions existing in the applying municipality do not make the erection of its disposal works within its boundaries impracticable as an improvement for the benefit of the entire municipality: *And it is further provided,* That all municipalities making application as aforesaid for the location of any such disposal works shall accompany the same with a descriptive map of the premises they propose to occupy, a copy of which shall also be filed in the office of the department of health of the State of New Jersey.

2. The governing body of every municipality shall have power to purchase any sewer or drain, sewer or drain works, system of sewers or drains, or system of sewers

and drains, or any rights, privileges, or interests therein or thereto, within or without the corporate limits of such municipality from any private individual or corporation owning the same, or from any other municipality, or may contract for the use thereof for a limited time or otherwise.

3. Said governing body may, by ordinance, provide for, establish or alter a general system of sewerage and drainage for such municipality, or any part thereof, conformably to which all sewers and drains shall be constructed.

4. Every municipality shall have full power, from time to time, to enlarge, increase, extend, renew, alter, replace, repair, cleanse, equip, operate and maintain any and all sewers, drains and other works or structures above mentioned, which may be owned or controlled by such municipality.

5. The governing body of every municipality owning or controlling sewers or drains shall have the entire control and management of sewers and drains in such municipality, and shall have power, by ordinance, to prescribe such charges, rules, rentals, regulations, conditions and restrictions as to the connection with and the use of such sewers and drains, as in their opinion may be proper and necessary.

6. The charges for connections with and rental for the use of sewers and drains so fixed by said governing body, shall draw the same interest from the time they become due, and shall be and remain, until paid, a lien upon the premises with which such sewer or drain is connected, the same as taxes upon real estate; and said municipality shall have the same remedies for the collection of said charges and rents, with interest, costs and penalties, as the said municipality has by law for the collection of taxes upon real estate.

7. The governing body of any municipality may contract with the governing body or bodies of one or more other municipalities.

(a) To construct or purchase any works, system or plant set forth in this article, or any portion thereof, at their joint cost, within or without the territorial limits of the contracting parties; or

(b) To receive and care for or dispose of the sewage of such other municipality or municipalities; or

(c) To have its sewage received and disposed of by any other such municipality or municipalities.

8. It shall be lawful for the governing body of any municipality to contract with any person or persons or corporation for the removal of sewage, and the construction of a comprehensive system of sewerage within the boundaries of such municipality, upon such reasonable terms as they may agree upon; also, for said governing body to make ordinances and rules in relation to the manner of such construction and maintenance of such sewers, and in relation to the manner in which said person, persons, or corporation, so contracting, shall exercise their rights.

9. Such person, persons, or corporation shall be subject to such rules, ordinances and regulations as said governing body may establish, and have the right to use such streets for the purpose of the construction of such sewers as may be agreed upon by such governing body, and shall have the right to make such reasonable charges against the owners of buildings, which may be connected with said sewers, as the said governing body may agree to.

10. The governing body of any municipality may change the course and outlet of any sewer or drain before or after the construction thereof, upon the application of any person or corporation.

For this purpose the said municipality may exchange lands or rights in lands acquired by it for such sewer, drain or outlet, for any other lands or rights in lands necessary to make such change.

The cost of making such change, or any increase in the cost of the work by reason of such change, shall be paid by the applicant at such times and in the manner fixed by the governing body in any ordinance or resolution provided for such change.

11. If in the construction of such sewer or drain in its changed course, or any extension thereof, it shall be necessary to cross any lands of the State under water for the purpose of obtaining an outlet, it shall be lawful to take and use such lands for that purpose, and any lands of the State under water that have been or shall hereafter be taken and used in the construction of any original sewer or drain shall, upon the construction of such sewer or drain on its changed course, revert to the State; or in case there has been or shall hereafter be a grant of such land to the riparian owner subject to the easement of the sewer or drain, such easement shall cease and determine, and the title under such grant shall become absolute.

12. Any outlet of any sewer into tidewater or into any creek or ditch shall be located and fixed only with the consent of the State board of health.

13. It shall be lawful for the governing body of any municipality, upon adopting and carrying into effect a plan for an intercepting sewer, or system of sewerage and drainage, to cause any river, stream or creek theretofore used for the purpose of receiving the sewage of such municipality, or any part thereof, to be cleansed and otherwise improved, so as to render the same healthful and free from deleterious matter.

14. Every municipality having streets containing culverts or other drains to tidewater shall have full and unobstructed outlets for the culverts in such streets to any contiguous streams without amenability to the claims of said water front of the board of commerce and navigation, or any laws or usages thereof.

15. Whenever, in the judgment of the governing body of any municipality, it is necessary to construct a drain for surface water in any county road of the county in which such municipality is situate, and one of more roads or streets of such municipality and the board of chosen freeholders of said county in which said municipality is situate shall have approved the plans for such proposed drain and shall have appropriated a specific sum towards the construction of such drain, with the proviso that such drain shall be constructed by said municipality, and that said municipality shall pay the balance of the cost of the same, then and in such case the said governing body may, by ordinance or resolution, cause such drain for surface water to be constructed, and may provide for the payment of the balance of the cost of the same.

16. Any municipality may use for water supply and sewer purposes, including proper house connections, any street, avenue, road, parkway or other highway situate within the territory of any such municipality, now or hereafter under the control of any county board or commission, and to that end lay down therein and maintain water pipes, with proper house connections to the property line, and may construct therein and maintain storm-water and sanitary sewers, with proper house connections to the property line, or any or all of them; and any such municipality may, by resolution and without notice, cause proper house connections to the property line of the number, character and location determined by it, to be laid down and constructed in any street, avenue, road, parkway or other highway within such municipality, now or hereafter under the control of any county board or commission, connecting any water pipes or sewers heretofore or hereafter laid down or constructed therein, whether house connections have been made to the property line or not, at the time of laying down or construction of such water pipes or sewers: *Provided, however,* That no such municipality shall lay down any water pipes or storm-water or sanitary sewers, or any house connections thereto, to the property line, without first having secured the approval of the plans for and location of the same by the county board or commission now or hereafter having control of the street, avenue, road, parkway or other highway in which the work is to be done; but no such work shall be done by any such municipality upon any street, avenue, road, parkway or other highway under the control and management of any county board or commission, until such municipality has entered into an agreement with said county board or commission regarding inspection and the restoration of the surface of such street, avenue, road,

parkway or highway: *And provided further*, That any such municipality opening for any purpose authorized by this act the surface of any street, avenue, road, parkway or other highway under the control of any county board or commissioner, shall restore the surface of the same to the same condition in which it was before such opening and on failure to so restore for a period of 90 days after notice from any county board or commission requiring such restoration, such county board or commission may itself undertake the work, and recover the expense of such restoration from the municipality failing to so restore, by action at law in any court of competent jurisdiction.

17. The governing body of any municipality, or the body having control of the streets therein, may grant consent, by ordinance, to any person or corporation, to lay a pipe or pipes, and to repair or replace the same, and make connections therewith, in any of the streets or public highways of said municipality for the purpose of sewerage or drainage, upon such terms as may be imposed by such ordinance.

* * * * *

ART. 23. *Street cleaning and disposal of refuse*.—1. The governing body of every municipality shall have power to provide for the cleaning of the streets of the municipality, and for the collection, removal and disposal of ashes, garbage and other refuse, and to establish and maintain a system therefor.

2. The governing body of every municipality shall have power to erect the necessary buildings and equip the same with all appliances necessary for the cremation, destruction or other disposal of such garbage or refuse matter. Such buildings may be erected on any lands owned by the municipality and suitable for the purpose, or the municipality may acquire the necessary lands by purchase, gift or condemnation.

3. The governing body of every municipality shall have power to purchase, maintain and operate the necessary equipment for the cleaning of streets and for the collection or removal of garbage, ashes and other refuse matter.

4. If in the opinion of the governing body it is more advantageous for such municipality to have the streets thereof cleaned, or the ashes and garbage and other refuse collected and removed and disposed of by persons other than the authorities of the municipality, they shall have power to make a contract or contracts for such works, or any portion thereof, with any individual or individuals, corporation or corporations. The governing body shall first adopt specifications for the doing of such work in a sanitary and inoffensive manner, and such contract shall be entered into and made only after bids therefor shall have been advertised for in one or more newspapers published or circulating in the municipality, at least 10 days prior thereto, and then only with the lowest responsible bidder or bidders who shall give satisfactory bonds or security for the faithful performance of the work.

5. The governing body shall have power to make, enforce, amend or repeal all such ordinances, resolutions, rules and regulations as may be deemed necessary and proper for the maintenance and operation of such plant for the cremation, destruction or disposal of such garbage and refuse, and for the introduction, operation and management of such system of collecting, removing and disposing of ashes, garbage and other refuse matter, and for the government of employees connected therewith.

6. It shall be lawful for the governing body of such municipality to provide for the doing of the above work at the general expense; or if it deem it more advisable, to fix a rate or rates to be charged by the municipality for the collection, removal or disposal of ashes, garbage and other refuse matter, and to provide for the manner of the payment of same, and to maintain an action at law to recover any moneys due therefor.

7. Any municipality may acquire within or without its corporate limits, either by purchase or condemnation, or may lease for a term of years unimproved lowland for the purpose of supplying a place of deposit for the indestructible waste collected in said city: *Provided*, No lands shall be acquired for such purpose without the corporate

limits of the municipality without the consent of the governing body and of the board of health of the municipality in which such land is situate.

* * * * *

ART. 30. *Abattoir*.—1. The governing body of every municipality shall have power and authority to acquire by purchase, gift or condemnation, or to hire and lease, such lands and buildings as may be needed for the purpose of establishing and operating a municipal abattoir: *Provided*, That sufficient funds for the same shall have first been appropriated therefor.

2. Such governing body shall have power to make, publish, enforce, amend or repeal ordinances providing for the control and use of any abattoir so established, and the rental or other charges imposed upon persons and corporations using the same, and other regulations deemed necessary.

3. Such governing body shall have power and authority to erect all buildings deemed necessary, and to alter and improve the same from time to time; also to furnish and equip such buildings.

4. No abattoir shall be established outside the corporate limits of the municipality so establishing the same, except with the consent of the governing body and the board of health of the municipality where it is proposed to establish the same.

* * * * *

ART. 32. *Water supply*.—1. Every municipality may provide and supply water, or an additional supply of water, for the public and private uses of such municipality and its inhabitants in any one or more of the following methods:

(a) Any municipality may, either singly or with one or more other municipalities, enter into a contract or contracts with the district board of water supply commissioners in the water supply district in which such municipality is situate, under and in accordance with the provisions of an act of the legislature of the State of New Jersey entitled "An act authorizing the appointment of district boards of water supply commissioners in the water supply districts created by an act entitled 'An act to create two water supply districts in the State of New Jersey, to be known respectively as the North Jersey water supply district and the South Jersey water supply district,' and defining the powers, duties, terms of office and compensation of such commissioners; and providing for the obtaining, maintenance and operation of water supplies of new or additional water supplies by said commissioners as agents of and by contract with municipal and other corporations in their respective water districts, and further providing for the raising, collecting and expenditure of the moneys necessary therefor," approved March 16, 1916; or with any other State board or department authorized or empowered to make any such contract.

(b) Any municipality may enter into a contract or contracts from time to time, for a period not exceeding 15 years with any other municipality in this State having water works, or with any private corporation owning or controlling water works, to obtain a supply of water for public and private uses of such first-mentioned municipality and its inhabitants.

(c) Any municipality may purchase or lease from any person or persons, corporation or corporations, owning water works supplying such municipality with water or adapted to furnish such supply, and any such person or persons, corporation or corporations, are hereby authorized to sell and convey or lease all or any part of the real estate, personal property and works, and all or any part of the corporate rights, powers, franchises and privileges of said person or persons, corporation or corporations, for such sum as may be mutually agreed upon by and between the said municipality and the said person or persons, corporation or corporations; and upon the due execution and delivery of the conveyance therefor, in case of purchase, the said real estate, personal property and works, and corporate rights, powers, franchises and privileges shall pass to and vest in the said municipality in as full and ample manner as the same now are or heretofore have been held and enjoyed by the said person or persons, cor-

poration or corporations. Any such purchase may be made subject to outstanding bonds on the property purchased. In case of any disagreement between the said municipality and the said person or persons, corporation or corporations, as to the amount of compensation to be paid, said municipality may condemn said real estate, personal property and works, and all the corporate rights, powers, franchises and privileges of said person or persons, corporation or corporations.

(d) Any municipality may purchase, condemn or otherwise acquire the necessary lands, and rights or interests in lands, and water rights and rights of flowage or diversion, within or without such municipality, for the purpose of a water supply, or an additional water supply, and for the connection thereof with such municipality and in case of highway or other public or quasi public structures, may require the same to be abandoned as far as necessary for such purposes, and to be relaid, if necessary, by some other route or in some other location. Damages for the taking of such property, as well as the value of such property taken, shall be ascertained and paid for according to law. It may alter or change the grade of any highway or public street where necessary for its purpose. If it be necessary to change the location or gradient, or the appurtenances thereof, of any canal or railroad operated under a charter or certificate of incorporation, the corporation owning or operating the same shall be required to relocate or change the same so far as needful, and to acquire the property necessary for such change, and, if possible, to agree with the municipality upon the details thereof to be paid as part of the expenses of said work. If the corporation be unable to agree with the owner of any land, property or rights necessary to be acquired by it in order to make such change, the municipality shall, for the benefit of the corporation, acquire the same by condemnation or otherwise. The said municipality may construct, erect, maintain and operate dams, canals, aqueducts, reservoirs, basins, standpipes, buildings, purification plants, filtration plants, and all necessary pipe lines and other works; and may drill, dig, construct, operate and maintain artesian wells, when in its judgment the same may be needed for the purpose of such water supply; and may provide for the protection of the same from pollution by the construction of sewers, or by other means. Such municipality may completely furnish and equip any water works with all necessary and useful machinery and other appliances.

2. No municipality shall provide and supply water for the public and private uses of such municipality and its inhabitants until a majority of the legal voters voting at an election (which election shall be advertised, held and conducted in accordance with the general election laws of this State), shall vote so to do: *Provided, however,* That this section shall not apply to municipalities which, at the time of the approval of this act, shall be providing and supplying water for the public and private uses of such municipality and its inhabitants, nor to municipalities in which a majority of the legal voters voting at any election shall have theretofore voted so to do, nor to municipalities which shall have adopted any act authorizing such municipality to supply water for public and private uses. In case a petition signed by at least 20 per centum of the legal voters of such municipality shall be presented to the governing body requesting a referendum vote on the question, such governing body shall adopt a resolution notifying the proper officer that a vote is desired upon the question, or said governing body may adopt such resolution without any petition being presented as aforesaid. Such officer shall thereupon in the manner provided by law, place the same upon the ballots used at the next general election in such municipality in substantially the following form: "Shall the ——— of ——— (name of municipality) provide and supply water for the public and private uses of this municipality and its inhabitants?" "Yes." "No." If a majority of the legal voters voting at such election shall vote "Yes," the governing body thereof shall, by ordinance, determine which method or methods above stated shall be employed, and such governing body shall proceed in accordance with the provisions hereof to establish such supply of water.

3. Every municipality providing for the supply of water in one or more of the methods aforesaid shall have power to lay and maintain pipes and mains in and under the streets, roads, avenues, alleys and public places of such municipality, and in upon and through private property therein; and for the purpose of connecting its water works with the pipes and mains so laid or to be laid it shall have power to lay and maintain pipes and mains in and under any and all streets, roads, avenues, alleys and public places in any other municipality: *Provided, however,* That no pipes or mains shall be laid in or under the public roads, streets or thoroughfares in any other municipality until the governing body thereof shall, by resolution, consent thereto, or until an order is made as hereinafter provided; in case the governing body of such other municipality shall refuse or neglect to give such consent, then it shall be lawful for the chancellor, or any vice chancellor of this State, upon petition of the municipality so applying for such consent, to make an order embodying and directing the terms upon which such water pipes and mains may be laid and relaid, and upon the making and filing of such order it shall be lawful for any such municipality to proceed with the laying or relaying of such water pipes or mains in or under any street, road, avenue, alley or public place named in such order.

4. Every municipality shall have full power and authority to relay, repair, enlarge and maintain all pipes and mains laid as above provided; and shall also have full power and authority to erect and construct such fire hydrants as to the governing body may seem expedient.

5. It shall be lawful for every municipality, by its governing body, to make all necessary and proper contracts, in the manner hereinafter provided, and to elect or appoint any and all engineers, surveyors, officers, agents, employees, committeemen and boards that they may deem necessary or convenient for accomplishing the purposes of providing and supplying such municipality and its inhabitants with water, and to define their duties, regulate their compensation and provide for their removal.

6. Whenever any work to be performed or materials to be furnished may involve an expenditure of any sum exceeding \$500, the governing body of such municipality shall designate the time when they will meet at the usual place of meeting to receive proposals in writing for doing such work or furnishing such materials, as the case may be, and shall thereupon order the clerk or some other officer of said municipality to give notice thereof, by advertising the same in one or more newspapers circulating in said municipality, at least 10 days before the time of such meeting, which advertisements shall specify the dimensions and quality of the work to be done or materials to be furnished; that all such proposals shall be publicly opened in the presence of those who choose to attend, and said body shall be empowered to reject any or all of said proposals, and to advertise for new proposals, and the contract for such work and materials, when awarded, shall be awarded to the lowest responsible bidder: *Provided,* That this section shall not be construed to apply to the compensation of specially retained advisers: *And provided, further,* That when the exigency of the service or an emergency threatening the continuity of the water supply shall by resolution passed by the affirmative vote of four-fifths of the members of the board or body having charge thereof be declared to exist, which resolution shall set forth the nature of such exigency or emergency, and stating the approximate cost of the work in excess of \$500 necessary to be done to meet such exigency or emergency, then and in such case the necessity for advertising and receiving proposals provided for in this section shall not apply.

7. All such contracts shall be in writing, and, if approved by the governing body such approval shall be endorsed thereon, and then such contract so approved shall be executed by the mayor or other chief executive officer of said municipality, on behalf of and in the name of the said municipality, and under the common seal thereof; that no party shall be allowed to enter upon any work or furnish any material until such contract shall have been so executed; and every person or corporation who shall enter

into any such contract with the said municipality, shall give satisfactory security for the faithful performance of such contract according to its terms, with surety to be approved by said governing body.

8. The governing body of every municipality providing and supplying water for the public and private use of such municipality and its inhabitants, may make, enforce, amend and repeal all such ordinances, resolutions and regulations as said body may deem necessary and proper for the distribution, supply, use and protection of the said water and the safety, security and protection of the said buildings, machinery, canals, aqueducts, reservoirs and other works and appurtenances thereto; for the installation and protection of meters, and for fixing and collecting the water rents or prices for water, and for imposing penalties in addition to cutting off the water for nonpayment thereof.

* * * * *

14. It shall be lawful for any municipality to increase the capacity of any water works, plant or plants which it owns, either by the construction and erection of new and additional buildings or otherwise, and the purchase of other or larger pumps, machinery and apparatus; and to extend any system of water distribution either within or without such municipality, by laying additional mains or lateral connections, or by relaying or enlarging existing mains and pipes, as the governing body of such municipality shall deem necessary; and to cause to be constructed an additional pipe line or main to connect any reservoir or water supply of such municipality, located outside the limits of such municipality, with any reservoir or supply pipes or mains within such municipality.

15. It shall be lawful for the governing body of any municipality owning or controlling water works, to enter into and make a contract or contracts with any municipality or municipalities in this State, to furnish a supply of water for such other municipalities and their inhabitants, for public and private uses, for the term of a year or years: *Provided*, There shall first be obtained the approval of the department of conservation and development, or other State board or department having jurisdiction of such matters, which approval and consent said commission or other board or departments may withhold or grant upon such terms as it may deem proper, but in case approval and consent are withheld, the reason for such withholding shall be furnished by said department or board to the municipality applying therefor. All such contracts to be binding upon the municipality supplying water as aforesaid, shall be approved by the general legislative body of such municipality and the mayor or other chief executive officer thereof.

16. It shall and may be lawful for any municipality owning or controlling water works, to supply dwellers in other municipalities through which their mains may pass, with water; and for that purpose to lay its mains and water pipes in or under any street, road, avenue, alley or public place in such other municipality: *Provided, nevertheless*, That such water shall be supplied to such dwellers in other municipalities upon the like or as favorable terms and conditions as water shall be furnished to dwellers within such municipality for the supplying of which with water such water works shall have been organized or established: *And provided further*, The consent of the municipal authorities of such other municipality to the supplying of its dwellers with water shall be first had and obtained.

17. In municipalities having a public water supply derived beyond the municipal limits, it shall be lawful for the board or body having the control of such water supply to construct, maintain and operate, within the territory from which such water is derived or through which it flows, whenever it has become or may become necessary in order to protect such water from pollution, a system of drains and sewers for intercepting, taking off and disposing of all sewage or other polluting matter.

18. In no case shall the construction of such system of drains or sewers be commenced or entered upon unless or until the State board of health shall approve the construction

of such system of drains or sewers as a sanitary measure, and shall define in a general way the limits of the district or territory within which or for which such system of drains or sewers shall be constructed.

19. Every system so constructed shall provide for the disposal of the sewage and other polluting matter taken up at a place and in a manner that shall render the same harmless; and before entering upon the construction of the same the plans therefor shall have been presented to and approved by the State board of health.

20. Whenever a sewer system shall be constructed as herein provided, the board or body having charge of the water supply of such municipality shall have the power and authority at its own expense to connect such system with any outhouses or privy vaults along the line of the said sewer system or within the district indicated by the said State board of health, and for this purpose may enter upon private or public lands and make the necessary excavations and connections and install proper appliances, at the expense of such municipality, for the flushing of outhouses and privy vaults. In all cases the surface of the ground wherein such excavations are made shall be restored to its original condition as near as may be.

21. Whenever any building or buildings along the line of the said sewer system, or within the said district, may at the time of the construction of the said system have been provided with a private drainage sewer, the board or body having charge of the water supply under whose authority the sewer system hereby authorized is constructed, is hereby authorized to connect such private sewer with the sewer system hereby authorized, and in the construction of the said connection shall have the right to enter upon all such lands and make all necessary excavations and constructions.

22. If in any case any municipality or the owners of property located along the line of said sewer system or within the district in which and for which said sewer system is established, shall desire to have connections with the sewer system directly from any sewers or system of sewers which has been built or may be built by said municipality, or from any dwelling or place of abode, the board or body having charge of the construction of the system of sewers authorized by this act, is hereby authorized and empowered to enter into a contract or contracts with the governing body of such other municipality, or with such owner or owners of dwellings or places of abode, for the furnishing of such sewerage facilities at some reasonable price to be agreed upon and to be collected as in such contracts provided.

23. Whenever in the construction of the sewer system hereby authorized, it becomes necessary to furnish a water supply for the flushing of said system, the board or body under whose direction the work is constructed may enter into a contract for the furnishing of water for said flushing with any private water company or municipality engaged in supplying water, at some reasonable price to be agreed upon.

24. Whenever there shall be within the district designated and defined as aforesaid, any outhouses, privy vaults or private drainage sewers so located that they cannot be connected with the sewer system hereby authorized and provided for, then it shall be lawful for the board or body having charge of the water supply of such municipality to enter upon such lands and at its own expense to make some sanitary arrangements for the disposal of the sewage and polluting matter therefrom; and it shall have the right from time to time to inspect the operation of such constructions, and to maintain, regulate and repair the same; and after such provisions shall have been made, it shall be the duty of the owner of such lands to use the facilities thus provided for the disposal of sewage and house drainage.

25. Whenever any system shall have been installed under the provisions of this act within the district defined, as herein provided, it shall be the duty of every person owning or occupying premises therein to use the facilities afforded for drainage and sewerage, and to cease using any other method for the disposal of house drainage, sewage or other polluting matter; and the State board of health is hereby authorized and

directed to enforce the provisions of this act in this respect by appropriate proceedings at law or equity.

26. For the purpose of procuring the necessary property and rights of way for the construction of the sewer system herein provided for, the board or body having charge of the water supply of such municipality under whose direction such sewer system is being built, shall have the right to purchase or condemn lands and rights and interests in lands, to provide a right of way and necessary property for the construction of such sewer system; and it shall have the right to enter upon lands before such purchase or condemnation is made, for the purpose of making necessary surveys and examinations; and shall also have the right, under proper regulations by the governing body, to construct such sewers in or under, over, across or along any street, road, avenue, alley or public place.

27. In municipalities having a public water supply derived from sources beyond the municipal limits, whenever it has become or may become necessary to protect such water from pollution, it shall be lawful for the governing body of such municipality to pay to any municipality through which said water flows, a portion of the cost toward the construction of a system of sewers in any such municipality: *Provided*, That the plans for said systems of sewers in any such municipality shall have first been approved by the State board of health.

* * * * *

29. It shall be lawful for the governing board or other board or body having charge of the public lighting and public water supply in any municipality to utilize and use any property which is now or has formerly been or may hereafter be used by such municipality for the purpose of supplying water for public use, for the purpose, also, of generating electrical energy to supply such municipality with light, or for other public use; and for this purpose such body or board shall have power and authority to purchase or condemn lands or interests in lands or necessary water rights, and purchase materials, and construct, reconstruct, erect, maintain, and use such property and works and such other and additional works, plants, property and machinery as may be required to develop the necessary power and produce and furnish the required light or power, and shall have power to sell such power or electrical energy.

30. It shall be lawful for the governing body of every municipality to adopt all ordinances and resolutions, enter into all agreements and contracts, and do any and all other acts and things necessary to provide water for the public and private uses of such municipality and its inhabitants in accordance with the provisions hereof.

31. Nothing in this act shall be construed to effect [sic] the power or authority of the department of conservation and development, of the department of health of the State of New Jersey or of the North Jersey water-supply commission or the South Jersey water-supply commission.

* * * * *

ART. 37. *Miscellaneous*.—14. Every municipality may establish laboratories and dispensaries; may employ visiting nurses, supply medicines and medical services to the indigent sick, and may provide fresh-air camps, excursions, and other means of recreation for the needy children of the municipality.

15. Every municipality shall have power to provide, maintain, and operate public baths, employment agencies, public comfort stations, public warehouses, public slaughterhouses, public watering troughs, and may maintain and operate any other plant or facility for rendering or supplying any service or commodity whatsoever to such municipality or the inhabitants thereof.

Sewage, Garbage, and Refuse Disposal in Municipalities. (Ch. 53, Act Mar. 16, 1917.)

1. It shall hereafter be lawful for any municipality of this State, through its governing body, to enter into contract, signed by its chief executive officer and sealed with its municipal seal, with any person, firm, or corporation, public or private, for the construction, maintenance, operation, or acquirement of any work or works and plans for the purification, disposal of, and dealing with sewage, or the collection and disposal of garbage and other refuse; such contract shall be made upon such conditions and for such length of time, not exceeding 10 years, as the said governing body may determine.

2. Said municipality shall have full power from time to time to enlarge, increase, extend, renew, alter, replace, repair, cleanse, equip, operate, and maintain any such work or works, either by way of supplemental contract with any person, firm, or corporation, or on its own account, after acquiring title, either conditional or absolute, to the same.

3. Such municipality may provide that any building, buildings, equipment, or appliances necessary for the maintenance or operation of such work or works may be erected or placed upon any lands owned by the municipality and suitable for the purpose, or the municipality may acquire the necessary lands by purchase, exchange, gift, lease, or condemnation, and excepting condemnation, upon such terms and conditions as it may determine.

4. The municipality shall have power to make, enforce, amend, or repeal all ordinances, resolutions, rules, and regulations as may be deemed necessary and proper for the maintenance and operation of such work or works, and for the government of employees connected therewith, after said plant shall have been acquired, either conditionally or absolutely, by said municipality.

5. The governing body of said municipality may provide the funds for the maintenance and operation of said work or works or plans for the purification, disposal of, and dealing with sewage, and for the collection and disposal of garbage and other refuse, by raising the same by taxation, and for the acquirement of said work or works, and the lands in connection therewith, by the sale of bonds: *Provided, however*, In case said municipality shall, as herein provided, engage to acquire said work or works or said land for the purpose aforesaid, upon the payment of annual or term payments, then such annual or term payments may be provided for by the issue of bonds or by taxation in the discretion of the governing body of said municipality.

6. Such municipality before entering into any contract or contracts for such work or works shall first adopt specifications, which specifications shall reasonably set forth the amount of sewage, garbage, or other refuse to be purified, disposed of, collected or dealt with, the approximate location of such proposed work or works, and such other facts or data as may relate thereto; after the adoption of such specifications, bids therefor, conforming to such specifications, shall be advertised in at least one newspaper published or circulating in the said municipality at least once a week during three successive weeks; and the contract or contracts shall then be awarded only to such person or persons, firm or firms, corporation or corporations, who shall submit to such municipality the plan or plans which in the judgment of said municipality shall best meet and comply with such specifications; after which such contract or contracts may be entered into by and between said municipality, and such person or persons, firm or firms, corporation or corporations, shall, if required, give satisfactory bonds or security for the faithful performance of the work proposed.

7. Such municipality shall have the right to renew any contract or other engagement entered into for the purpose of furnishing such work or works for additional periods not to exceed five years each, upon terms and conditions in harmony with those contained in the original contract.

8. Such work or works for the purification, disposal of, and dealing with sewage, and the plans included therein or proposed thereby, shall conform to and comply with such rules and regulations as may be prescribed by the State department of health.

9. Said municipality shall have the right to provide in any such contract or contracts such term or terms as shall effectually provide for the building, construction, maintenance, operation or acquirement of such work or works; and shall also have the right to provide, either for acquiring by purchase upon completion the whole or part of said work or works or for an annual or other term rental or service charge to be paid by said municipality for a stated number of years, not to exceed 10, after which stated number of years the balance of said purchase price, if any, shall be paid by it for the purpose of passing into the exclusive use, possession and control of such municipality such work or works, or a part thereof, after acceptance by it; there may also be reserved to such municipality in such contract, or one supplemental thereto, the right to provide for extensions or additions to such work or works, at a price to be named in such original or supplemental contract, or to be determined under one of them.

10. Two or more municipalities may join together to do any of the things provided in this act, and may appoint such officers and employees as may be necessary in case of joint action, and may in general jointly proceed hereunder.

11. Under the execution of any original contract hereunder by such municipality, all proceedings by its governing body shall be by ordinance, after which time further proceedings may be by resolution.

Nuisances—Water Supply—Privies and Cesspools—Excremental Matter—Flies and Mosquitoes. (Reg. Dept. of H., May 15, 1917.)

CHAPTER 1. REGULATION 1. *Nuisances hazardous to human health.*—No person or private or municipal corporation shall maintain or permit to be maintained anything whatsoever which is a hazard or a danger to human health.

REG. 2. *Polluted water supply.*—No person or private or municipal corporation shall maintain any well, or other supply of water used for drinking or household purposes, which is polluted in any manner that may render such water injurious to health, or which is so situated or constructed that it may become so polluted.

REG. 3. *Privies and cesspools.*—No person or private or municipal corporation shall maintain, use or permit to be used, any privy or other receptacle for human excrement, unless such privy or other receptacle is so constructed and maintained that flies can not gain access to the excremental matter contained therein, and unless such excremental matter shall at all times be prevented from flowing over or upon the surface of the ground. Every privy or other receptacle for human excrement located within 100 feet of any stream, the waters of which are used for drinking or domestic purposes, shall be provided with a water-tight vault.

REG. 4. *Disposition of excremental matter.*—No person or private or municipal corporation shall permit any human excrement, or material containing human excrement, to remain on the surface of the ground; nor shall such excremental matter or material containing such excremental matter be buried or otherwise disposed of within 100 feet of any stream, well, lake, spring or other source of water used for drinking or domestic purposes; nor shall any such material be deposited in any place where it is likely to gain access to such waters: *Provided, however,* That this regulation shall not apply to effluents from sewage disposal plants which have been, or hereafter may be, approved by the State department of health.

REG. 5. *Fly breeding places prohibited.*—No person or private or municipal corporation shall maintain, or permit to be maintained, any accumulation of decomposing animal or vegetable matter in which fly larvæ exist on any premises upon which is located any hotel, boarding house, lodging house, restaurant, or any other establishment in which foods intended for sale or distribution are prepared, handled or sold, or at any point on any other premises within 250 feet of any dwelling occupied by another.

REG. 6. *Mosquito breeding places prohibited.*—No person or private or municipal corporation shall maintain, or permit to be maintained, any pool, pond, ditch, stream or other body of water, or any cistern, privy vault, cesspool, rain barrel or other receptacle containing water, in which mosquito larvæ exist.

REG. 7. The regulations contained in chapter 1 of the State sanitary code shall take effect on the first day of June, 1917.

Rooms and Apartments Used as Workshops—Sanitary Regulation. (Ch. 229, Act Mar. 29, 1917.)

1. The commissioner of labor may, when he deems it necessary, require that all rooms or apartments used for the purpose of manufacturing, altering, repairing or finishing therein any articles as mentioned in section 31 of the act [An act regulating the age, employment, safety, health and work hours of persons, employees and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof, approved March 24, 1904] of which this act is a supplement shall be separate from and have no door, window or other opening into any living or sleeping room or any tenement or dwelling, and that no other rooms or apartments shall be used at any time for sleeping purposes and shall contain no bed, bedding or cooking utensils. He may further require or direct a separate outside entrance to the rooms or apartments where the work is carried on, and if such work is carried on above the first floor, then there may be directed a separate and distinct stairway leading thereto, and every such room or apartment shall be well and sufficiently lighted, heated and ventilated by ordinary or, if necessary, by mechanical appliances. He may also require suitable closet arrangement and separate toilets when and as he deems it necessary.

2. Any person, firm or corporation, by themselves or by their agents or managers, contracting for the manufacturing, altering, repairing or finishing of any articles whatsoever, as mentioned in section 31 of the act of which this is a supplement, or giving out material for which they or any part of them are to be manufactured, altered, repaired or finished, shall keep a register of the names and addresses plainly written in English of the persons to whom such article or articles are given to be so manufactured, altered, repaired or finished, or with whom they have contracted to do the same. Such register shall be subject to inspection on demand by the commissioner of labor or factory inspectors, and a copy thereof shall be furnished at his or their request.

3. No articles of food, no dolls, doll's clothing and no article of children's or infants' wearing apparel shall be manufactured, altered, repaired or finished in whole or in part for a factory, either directly or through the instrumentality of one or more contractors or third persons in a tenement house, in any portion of an apartment, any part of which is used for living purposes.

4. Any person, firm or corporation, being the owner, lessee or occupant of the place or places to which the preceding sections or any part thereof relate, shall, for the violation of any of the provisions herein, be liable to a penalty of \$50 for the first offense and \$100 for each succeeding offense.

Rooms and Apartments Used as Workshops—License—Inspection—Sanitary Regulation. (Ch. 176, Act Mar. 27, 1917.)

1. Section 31 of the act [An act regulating the age, employment, safety, health and the work hours of persons, employees and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof, approved March 24, 1904] which this act amends is hereby amended to read as follows:

Sweat shops.—No room or rooms, apartment or apartments, in any tenement or dwelling house, or in a building situated immediately in the rear of any apartment, tenement or dwelling house shall be used for the purpose of manufacturing, altering, repairing or finishing therein, for wages or for sale, any articles whatsoever unless a license is secured therefor, as provided in this act.

Application for such a license shall be made to the commissioner of labor by any family or a member thereof, or any person, firm or corporation desiring to manufacture, alter, repair or finish any such articles in any room or apartment in any tenement or dwelling house or by any person, firm or corporation desiring to perform such work in any building in the rear of any tenement or dwelling house. Each license shall run continuously for a period of six months, whereupon a new or further license must be obtained. Each application for such a license shall describe the room or apartment, shall specify the number of persons to be employed therein and shall be in such form as the commissioner of labor may determine. Blank applications shall be prepared and furnished by the commissioner of labor. Before any such license is granted an inspection of the room, apartment or building sought to be licensed shall be made by the commissioner of labor, factory inspector or in the discretion of the commissioner of labor by any local board of health or its inspector or inspectors. If the commissioner of labor or such inspectors as herein provided for ascertain that such room, apartment or building is in a clean and proper sanitary condition, and that the articles specified in this section may be manufactured therein under clean and healthful conditions, he shall grant a license permitting the use of such room, apartment or building for the purpose of manufacturing, altering, repairing or finishing such articles. Each license shall state the maximum number of persons who may be employed in the room or rooms to which such license relates. The number of persons to be so employed shall be determined by the number of cubic feet of air space contained in each room or apartment mentioned in such license, allowing not less than 250 cubic feet for each person employed between the hours of 6 o'clock in the morning and 6 o'clock in the evening, unless by special written permit of the commissioner of labor and not less than 400 cubic feet for each person employed therein between the hours of 6 in the evening and 6 in the morning, but no such permit shall be issued unless such room or apartment has suitable light at all times during such hours as such persons are employed therein.

Such license must be posted in a conspicuous place in the room or apartment to which it relates. It may be revoked by the commissioner of labor if the health of the community or of the employees requires it, or [or?] if it appears that the rooms or apartments to which such license relates are not in a healthy and proper sanitary condition. Every room or apartment in which any of the articles named in this section are manufactured, altered, repaired or finished shall be kept in a clean and sanitary condition and shall be subject to examination and inspection by the commissioner of labor, factory inspectors or local boards of health for the purpose of ascertaining whether said garments or articles, or any part or parts thereof, are clean and free from vermin and every matter of infectious or contagious nature.

If the commissioner of labor, factory inspector or local board of health shall find evidence of infectious or contagious diseases present in any workshop, or in goods manufactured or in process of manufacture therein if [sic] the commissioner of labor, factory inspector or local board of health shall issue such orders as the public health may require and shall condemn and destroy such infectious and contagious articles.

31a. No person, firm or corporation shall hire, employ or contract with any member of a family, or any person, firm or corporation not holding a license therefor, to manufacture, alter, repair or finish any articles whatsoever in any room or apartment in any tenement or dwelling or any room or apartment in any building situated in the rear of a tenement or dwelling house as aforesaid, and no person, firm or corporation shall receive, handle or convey to others or sell, hold in stock or expose for sale any articles

whatsoever unless made under the sanitary conditions and in accordance with this act. This act shall not prevent, however, the employment of a tailor or seamstress by any person or family for the purpose of making, altering, repairing or finishing any articles of wearing apparel for such person or for family use, and shall not prevent such employment by women's exchanges or philanthropic associations not organized for pecuniary profit.

2. Section 32 of this act to which this act is an amendment shall be and the same is hereby amended, so as to read as follows:

Any person, firm or corporation being the owner, lessee or occupant of the place, or places to which the preceding sections or any part thereof relate, shall, for the violation of any of the provisions therein, be liable to a penalty of \$50 for the first offense and \$100 for each succeeding offense.

Factories—Sanitary Regulation. (Reg. Dept. of Labor.)

Washing facilities shall consist of lavatory basins fitted with waste pipes and two spigots conveying hot and cold water; or troughs of enamel or similar smooth impervious material, fitted with waste pipes; and for every 2 feet of trough length, two spigots, conveying hot and cold water. Where basins are provided, there shall be at least one basin for every five employees; and where troughs are provided, at least 2 feet of trough length for every five employees. The department will accept as a substitute for the hot and cold water spigots to every 2 feet of trough length a perforated pipe, conveying tempered water, installed above the middle of the trough at a height above the edge of the trough of from 18 to 24 inches. Stoppers shall be pulled so that all washing is done in running water.

In plants where the workers are exposed to dust, dirt, the handling of poisonous materials, excessive physical exertion, heat or humidity, the department requires the additional provision of shower baths in the proportion of 1 to every 15 employees so exposed.

Each worker shall be provided with a clean place in which to change from street clothes to working clothing. A pipe rail equipped with clothes hangers, and fastened high enough from the floor so as to prevent the clothes from dragging, will be accepted by the department; excepting when the workers are:

- (a) Engaged in handling poisonous materials.
- (b) Exposed to injurious dust or fumes.
- (c) Excessive heat, humidity, or fatigue from physical exertion.

In such cases clean, lighted, ventilated and when necessary heated dressing rooms shall be provided, separate from the workroom, but connected therewith. When poisonous materials are handled which expose the person of the worker to contamination, lockers shall be provided (divided by perpendicular partitions) of a double type having the following dimensions: 60 inches high by 24 inches wide by 12 inches deep.

Workers exposed to heat, humidity and excessive physical exertion shall be provided with single type lockers having the following dimensions: 60 inches high by 12 inches wide by 15 inches deep.

Clothes baskets that can be drawn by means of a rope to the ceiling of the workroom may be used in lieu of lockers when room is free from dust or smoke.

The department advises, in the absence of mechanical ventilation, that lockers be provided with perforated metal tops and bottoms, and fluted or perforated metal doors.

Lunch rooms.—Workers exposed to dangerous dusts or fumes should be provided with a lunch room or rooms separate for the sexes, and apart from the workrooms so contaminated.

Toilet facilities.—These shall consist of 1 siphon-action toilet bowl for each 20 persons or fraction thereof. Toilets shall be frequently cleaned, well lighted, comfortably

heated, and adequately ventilated to the outer air by a window or windows (except in cases where mechanical ventilation is permitted), and in addition, toilets shall be separate for the sexes, and provided with vestibule entrances. Urinals, when deemed necessary, shall be provided on a basis of 1 urinal for each 50 persons using same. Urinals shall be properly flushed and so installed as to prevent noxious odors from arising.

The plumbing used for washing and toilet installations shall be made in conformity with the local requirements of the city wherein the plant is located.

Where no regulations are operative, the department will furnish the code required upon request.

Drinking water should be furnished by means of sanitary bubbling drinking fountains, provided with pipe coils so arranged they can be ice cooled during the summer months. The fountains should be of a type that prevents contamination from use.

[The following summary is taken from Bulletin No. 244 of the United States Bureau of Labor Statistics, pp. 241 and 242:

"In addition to the foregoing, issued by the bureau of hygiene and sanitation of the department, standard specifications were issued for the construction and installation of exhaust systems for the removal of industrial dust, noxious fumes, excessive heat, and humidity, giving the kind of material, gauges of material, methods of riveting, soldering, and lapping, prescribing the use of elbows and collars, and other details of construction. Separate lists of standard regulations were also established for removing dust generated by buffing, polishing, and grinding metal; from woodworking machinery; in shoe manufacturing; in the pearl-goods industry; in the manufacture of leather goods; in flint grinding; in the manufacture of pottery; and in the manufacture of celluloid goods. Other regulations relate to printing establishments, the ventilation of laundries, the felt-hatting industry, fur dressing, the manufacture of leather and metal dipping in alkali and acid solutions. These consist in part of tables standardizing the sizes of pipes, etc., for the specific kinds of establishments and their construction, and in part of requirements to be observed by employees under the conditions existing in the specified industries. Besides emphasizing the necessity for ventilation, the wearing of protective clothing, cleanliness of person, the supply of water for drinking and for toilet purposes, and avoidance of eating food or putting any object in the mouth without precautions as to cleanliness are particularly noticed.

"Chapter 162 of the session laws of 1914 enacts in some detail a statute governing the inspection and regulation of factories engaged in the manufacture of white lead and similar products. The bureau of hygiene and sanitation has issued orders extending the requirements as to safety to be observed, prescribing necessary sanitary provisions binding upon employers and employees, setting forth the requirements both of a general nature and those that are applicable to particular processes and the different branches of the industry. Lists of regulations to be posted in the different establishments, and forms of blanks for reports are prescribed.

"Similar to the foregoing in purpose, and issued under the same general authority, are standards of safety to be observed in the manufacture of nitro and amido compounds. Eight forms of these compounds are designated as injurious. The regulations refer to the ventilation of buildings, the construction of operating platforms, the character and care of floors and walls, the storage and handling of materials, the use of work clothing and the furnishing of washing and dressing rooms, precautions as to eating, drinking, using intoxicants and tobacco, the supply of drinking water, the method of carrying on repairs, modes of resuscitation, provisions for first aid, physical examination of employees, etc."]

Factories—Code of Lighting. (Reg. Dept. of Labor.)

RULE 1. Working or traversed spaces in buildings or grounds shall be supplied during the time of use with artificial light, in accordance with the following rules, whenever natural light falls below the intensities specified in rule 2.

RULE 2. The desirable illumination intensity to be provided and the minimum intensity which shall be maintained are shown in the following table:

	At the work.		
	Minimum foot-candles.	Ordinary acceptable practice.	
A. Roadways and yard thoroughfares.....	0.05	0.05	0.25
B. Stairways, passageways, aisles, storage spaces.....	.25	.25	.50
C. Rough manufacturing operations, such as foundry work; rough machining, rough assembling, rough bench work.....	1.25	1.25	2.50
D. Fine manufacturing operations, such as fine lathe work, pattern and tool making, light-colored textiles, tobacco manufacture.....	3.50	3.50	6.00
E. Special cases of fine work, such as watchmaking, engraving, drafting, dark-colored textiles.....	5.00	10.00	15.00

RULE 3. Glare, either from lamps or from unduly bright reflecting surfaces, produces eyestrain and increases accident hazard. Exposed bare lamps shall not be used except when they are out of the ordinary line of vision. Lamps should be suitably shaded to minimize glare.

RULE 4. Lamps shall be so arranged as to secure a good distribution of light on the work, avoiding objectionable shadows and sharp contrasts of intensity.

RULE 5. Emergency lights shall be provided in all work space aisles, stairways, passageways and exits; such lights shall be so arranged as to insure their reliable operation when, through accident or other cause, the regular lighting is extinguished.

RULE 6. Switching or controlling apparatus shall be so placed that at least pilot or night lights may be turned on at the main point of entrance.

NEW YORK.

"Communicable Disease"—Meaning of Term. (Reg. Public Health Council, Mar. 20, 1917.)

Subdivision 1,¹ regulation 1 of chapter 1 of the sanitary code is hereby amended to read as follows:

(1) The term "communicable disease" means such communicable disease as may be designated in regulation 1 of chapter 2 of the code, except that no regulation of this code shall apply to or include chancroid, gonorrhea or syphilis unless such disease is specifically mentioned in such regulation.

List of Communicable Diseases which Are Notifiable. (Reg. Public Health Council, Mar. 20 and Dec. 18, 1917.)

Regulation 1¹ of chapter 2 of the sanitary code of the State of New York is hereby amended to read as follows:

REGULATION 1. *Communicable diseases designated.*—For the purpose of this code, the term communicable disease shall be held to include the following diseases, which are hereby declared to be communicable through the conveyance of the infective organisms:

Anthrax.	Plague.
Chancroid.	Pneumonia.
Chicken pox.	(a) acute lobar.
Cholera, Asiatic.	(b) bronchial or lobular.
Diphtheria (membranous croup).	Poliomyelitis, acute anterior (infantile paralysis).
Dysentery, amebic and bacillary.	Puerperal septicemia.
Epidemic cerebrospinal meningitis.	Rabies.
Epidemic or streptococcus (septic) sore throat.	Scarlet fever.
German measles.	Syphilis.
Glanders.	Smallpox.
Gonorrhea.	Trachoma.
Measles.	Tuberculosis.
Mumps.	Typhoid fever.
Ophthalmia neonatorum (suppurative conjunctivitis of the newborn).	Typhus fever.
Paratyphoid fever.	Whooping cough.

Deaths from Communicable Diseases—Duties of Local Registrars and Health Officers. (Reg. Public Health Council, Mar. 20, 1917.)

Chapter 2¹ of the sanitary code is hereby amended by inserting therein a new regulation to be known as regulation 42-B and to read as follows:

REG. 42-B. *Duties of registrars and health officers when deaths from communicable diseases are reported.*—1. It shall be the duty of the local registrar of vital statistics whenever a certificate of death from a communicable disease has been filed with him to immediately report to the health officer, the name, age and address of the deceased together with the disease, and the name of the physician who has filed such certificate.

2 It shall be the duty of every health officer upon receiving such notice to ascertain immediately whether such person has been reported during life with such communicable disease.

¹ Pub. Health Repts. Reprint 279, p. 111.

3. It shall be the duty of every health officer if he ascertains that a physician has failed to report a case of communicable disease to inform the physician of his failure to conform with the sanitary code, and to report to the State department of health the name of every physician failing to report cases of communicable diseases.

Communicable Diseases—Removal of Contaminated Articles. (Reg. Public Health Council, July 10, 1917.)

Regulation 14² of chapter 2 of the sanitary code of the State of New York is hereby amended to read as follows:

REG. 14. *Removal of articles contaminated with infective material.*—Without instruction from the health officer no person shall carry, remove, or cause or permit to be carried or removed from any room, building, or vessel, any article which has been subject to contamination with infective material through contact with any person or with the secretions of any person affected with Asiatic cholera, diphtheria, scarlet fever, smallpox, typhoid fever or typhus fever, until such article has been disinfected according to the special rules and regulations of the State department of health.

Without permission of the local health officer no master of any vessel or other person shall remove or aid in removing or permit the removal from any such vessel to the shore of any article which has been subject to contamination with infective material through contact with any person or with the secretions of any person affected with Asiatic cholera, diphtheria, scarlet fever, smallpox, typhoid fever, or typhus fever.

This regulation shall not apply to any vessel within the jurisdiction of the health officer of the port of New York.

Communicable Diseases in Hospitals, Dispensaries, and Institutions—Prevention of Spread—Tracing Original Source of Infection. (Reg. Public Health Council, July 10, 1917.)

Regulation 22³ of chapter 2 of the sanitary code of the State of New York is hereby amended to read as follows:

REG. 22. *Preventing the spread of communicable diseases in institutions.*—It shall be the duty of the superintendent or person in charge of any hospital, or other institution, or dispensary, in which there is a person affected with any communicable disease, to take such steps as will, so far as practicable, prevent the spread of infection, and trace its original source.

Venereal Diseases—Circular of Information and Instructions to be Given Infected Persons. (Reg. Public Health Council, Mar. 20, 1917.)

Chapter 2⁴ of the sanitary code is hereby further amended by adding thereto a new regulation to be known as regulation 29a and to read as follows:

REG. 29a. *Chancroid, gonorrhea and syphilis.*—Chancroid, gonorrhea and syphilis are hereby declared to be infectious and communicable diseases highly dangerous to the public health.

It shall be the duty of every physician when first attending a person affected with chancroid, gonorrhea or syphilis to furnish said person with a circular of information issued or approved by the State commissioner of health and to instruct such person as to the precautions to be taken in order to prevent the communication of the disease to others.

² Pub. Health Repts. Reprint 279, p. 113.

³ Pub. Health Repts. Reprint 279, p. 115.

⁴ Pub. Health Repts. Reprint 279, p. 111.

Venereal Diseases—Statement Regarding Freedom from, Required of Both Parties to a Marriage. (Ch. 503, Act May 16, 1917.)

A New York law makes it the duty of the town or city clerk before issuing marriage license to secure a statement from each of the parties to the marriage in the following words:

"I have not to my knowledge been infected with any venereal disease, or if I have been so infected within five years I have had a laboratory test within that period which shows that I am now free from infection from any such disease."

Venereal Diseases and Other Sexual Ailments—Advertisements Relating to. (Ch. 487, Act May 15, 1917.)

SECTION 1. The penal law is hereby amended by adding thereto, after section 1142, a new section to be section 1142-a, to read as follows:

SEC. 1142-a. *Advertisements relating to certain diseases prohibited.*—Whoever publishes, delivers or distributes or causes to be published, delivered or distributed in any manner whatsoever an advertisement concerning a venereal disease, lost manhood, lost vitality, impotency, sexual weakness, seminal emissions, varicocele, self-abuse, or excessive sexual indulgence and calling attention to a medicine, article, or preparation that may be used therefor or to a person or persons from whom or an office or place at which information, treatment, or advice relating to such disease, infirmity, habit, or condition may be obtained, is guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment for not more than six months, or by a fine of not less than \$50 nor more than \$500, or by both such fine and imprisonment. This section, however, shall not apply to didactic or scientific treatises which do not advertise or call attention to any person or persons from whom or any office or place at which information, treatment, or advice may be obtained, nor shall it apply to advertisements or notices issued by an incorporated hospital, or a licensed dispensary, or by a municipal board or department of health, or by the department of health of the State of New York.

Laboratories and Other Places where Live Pathogenic Germs are Handled—Registration—Sale and Transportation of Germs. (Ch. 411, Act May 8, 1917.)

SECTION 1. All laboratories and other places where live pathogenic germs are handled or cultivated, shall be registered with the New York State Department of Health, and a registration number shall be issued to each place so registered. Registration and application for this registration number shall be made by the person, firm or corporation in charge of the laboratory or other place where such germs are handled. The registration number shall be valid for one year, at the expiration of which time it may be renewed upon application.

SEC. 2. All live pathogenic germs or cultures of such germs when given away or sold by a laboratory or other person, shall bear a label on the container showing the registration number of the laboratory or other person, the name of the person or firm obtaining same, and the destination of the germs, and no person or laboratory shall sell or convey any live germs or culture to any other person or laboratory without the permission of the State commissioner of health: *Providing, however,* That nothing herein contained shall apply to places where live pathogenic germs or cultures of such germs are handled for duly organized public health boards or departments and for no other person or institution.

SEC. 3. A registration fee of \$1 shall be charged to cover the cost of issuing the registration number.

SEC. 4. Any violation of this act shall be deemed a misdemeanor punishable by a fine of \$200, six months' imprisonment or both.

SEC. 5. This act shall take effect July 1, 1917.

Antipneumococcus and Antimeningococcus Serums—Sale. (Reg. Public Health Council, Dec. 18, 1917.)

Regulation 1 of chapter 9 was added to the sanitary code of the State of New York and reads as follows:

REGULATION 1. *Sale of antipneumococcus and antimeningococcus serum regulated.*—No serum for the treatment of pneumonia or of meningitis shall be sold or offered for sale in the State of New York unless each package is accompanied by a label or circular on which is stated the potency of the serum as tested by the methods established by the rules and regulations of the State commissioner of health; and no such serum shall be sold or offered for sale the potency of which does not equal or exceed the minimum fixed in such rules or regulations.

Boarding and Lodging Houses Receiving Persons Affected with Tuberculosis—Inspection—Furnishing and Posting of Sanitary Laws and Regulations. (Reg. Public Health Council, Mar. 20, 1917.)

Chapter 8 of the sanitary code is hereby amended by adding thereto three new regulations to be known as regulations 4, 5, and 6 and to read as follows:

REG. 4. It shall be the duty of every health officer to inspect in the municipality under his jurisdiction every boarding house or lodging house where a person or persons affected with tuberculosis may be boarded or lodged and it shall be his duty to see that the requirements of the public health law and the sanitary code are complied with.

REG. 5. It shall be the duty of every local health officer to furnish the proprietor or other person in charge of such boarding house or lodging house with such sections of the sanitary code and the public health law as may be required by the State commissioner of health.

REG. 6. It shall be the duty of the proprietor or other person in charge of any boarding or lodging house in which a person or persons affected with tuberculosis may be boarded or lodged to post in a conspicuous place such provisions of the sanitary code and public health law as may be required by the State commissioner of health.

State Tuberculosis Hospital—Duty of Superintendent—Admission and Maintenance of Patients. (Ch. 241, Act Apr. 23, 1917.)

SECTION 1. Section 157 of chapter 57 of the laws of 1909, entitled "An act relating to State charities, constituting chapter 55 of the consolidated laws," as amended by chapter 449 of the laws of 1910, is hereby amended by adding thereto a new subdivision, to be known as subdivision 10, and to read as follows:

[The superintendent of the State tuberculosis hospital at Raybrook shall]

10. Give to superintendents of county tuberculosis hospitals courses in the diagnosis and treatment of tuberculosis and in hospital administration. The board and lodging of such superintendents of county hospitals, while actually in attendance at such courses, shall be charged as an expense of conducting said hospital.

SEC. 2. Section 160 of said chapter is hereby amended to read as follows:

SEC. 160. *Free patients.*—The trustees of said hospital to be appointed under and pursuant to the provisions of this article, and their successors, are hereby given power and authority to receive therein patients who have no ability to pay, but no person shall be admitted to the hospital who has not been a citizen of this State for at least one year, excepting that a female who has been a resident of the State for at least five years preceding the date of the application may be so admitted, though not a citizen.

Every person desiring free treatment in said hospital shall apply to the health officer of his or her village, town, city or county who shall thereupon issue a written request to the superintendent of said hospital for the admission and treatment of such

person, which request and statement shall be kept on file by the superintendent of the hospital. Such requests shall be filed by the superintendent in a book kept for that purpose in the order of their receipt by him. The health officer shall notify the local authorities of the town, city or county in which the person desiring free treatment resides, having charge of the relief of the poor, of every request issued to the superintendent of the said hospital in accordance with the provisions of this section. The said local authorities of the poor may make such investigation as they deem proper as to the ability of said person to pay for treatment, and if said person has already been transferred to said hospital at Raybrook the superintendent of said hospital shall cooperate and assist the said local authorities in obtaining such information: *Provided, however,* Nothing herein contained shall be construed to delay the immediate forwarding of said person to the said hospital whenever there are facilities there for his reception. Whenever there are vacancies caused by death or removal, the said superintendent shall thereupon issue a request to an examining physician, appointed as provided for in section 159, in the same city or county, and if there be no such examining physician in said city or county then to the nearest examining physician, for the examination by him of said patient. Upon the request of such superintendent said examining physician shall examine all persons applying for free admission and treatment in said institution, and determine whether such persons applying are suffering from incipient pulmonary tuberculosis. No person shall be admitted as a patient in said institution without the certificate of one of said examining physicians certifying that such applicant is suffering from incipient pulmonary tuberculosis, and if upon the reception of a person at such hospital, it is found by the authorities thereof that he is not suffering from incipient pulmonary tuberculosis, or is suffering from pulmonary tuberculosis in such an advanced stage as to prevent his deriving any benefit from care and treatment at such hospital, he shall be returned to the place of his residence, and the expense of transportation to and from the hospital shall be paid by said local authorities. Admissions to said hospital shall be made in the order in which the names of applicants shall appear upon the application book to be kept as above provided by the superintendent of said hospital, insofar as such applicants are subsequently certified by the said examining physician to be suffering from incipient pulmonary tuberculosis. Every person who is declared as herein provided to be unable to pay for his or her care or treatment shall be transported to and from the hospital at the expense of said local authorities, and cared for, treated and maintained therein at the expense of the municipality which would otherwise be chargeable with the support of such poor or indigent person; and the expense of transportation, treatment, maintenance and the actual cost of articles of clothing furnished by the hospital to such poor or indigent person shall be a county, city, or town charge, as the case may be.

County Tuberculosis Hospitals—Establishment and Maintenance—Powers and Duties of the County Board of Supervisors and Hospital Board of Managers—Attendance by Hospital Superintendent of Courses at State Tuberculosis Hospital—Admission and Maintenance of Patients from Other Counties. (Ch. 469, Act May 15, 1917.)

SECTION 1. Section 45 of chapter 16 of the laws of 1909, entitled "An act in relation to counties, constituting chapter 11 of the consolidated laws," as added by chapter 341 of the laws of 1909 and amended by chapters 166 ⁴ and 379 ⁵ of the laws of 1913 and chapter 323 ⁶ of the laws of 1914 and chapters 132 ⁷ and 427 ⁸ of the laws of 1915, is further amended to read as follows:

⁴ Pub. Health Repts. Reprint 264, p. 309.

⁵ *Ibid.*, p. 310.

⁶ Pub. Health Repts. Reprint 279, p. 109.

⁷ Pub. Health Repts. Reprint 338, p. 380.

⁸ *Ibid.*, p. 382.

S.E.C. 45. The board of supervisors of every county in the State containing a population of 35,000 or more, as determined by the latest State census, shall establish, as hereinafter provided, a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis, unless there already exists in such county a hospital or institution provided by the county or other authority and caring for persons suffering from tuberculosis, which is approved by the State commissioner of health. Such county hospital shall be available for patients on or before the 1st day of July, 1918. If the board of supervisors of any such county shall have failed to secure a site for a county tuberculosis hospital, and to have awarded contracts for the erection of suitable buildings thereon by the 1st day of January, 1918, it shall be the duty of the State commissioner of health forthwith to proceed to locate, construct and place in operation a tuberculosis hospital in and for such county, the capacity of which shall not exceed the average number of deaths per annum from tuberculosis in such county during the past five years. For such purposes the State commissioner of health shall possess, and it shall be his duty to exercise all the powers which would have been possessed by the board of supervisors of such county, had such hospital been established and placed in operation by the board of supervisors thereof. All expenditures incurred by the State commissioner of health for and in connection with the location, construction and operation of such hospital, shall be a charge upon the county, and provision shall be made for the payment therefor by the board of supervisors of such county in the same manner as in the case of other charges against the county. At any time after such hospital has been in operation, the board of supervisors in such county may appoint a board of managers for such hospital, pursuant to the provisions of this act and 30 days after the appointment of such board of managers by such board of supervisors, such hospital shall be transferred to such board of managers, and such board of managers shall thereafter possess and exercise all the powers of the board of managers of a county hospital for tuberculosis under this act, and the State commissioner of health shall be relieved from any responsibility therefor except such responsibility as he exercises in regard to all county tuberculosis hospitals under the provisions of this act.

When deemed advisable by the board of supervisors and approved by the State commissioner of health, any such county may maintain more than one county hospital for the care and treatment of persons suffering from tuberculosis.

Establishment of county hospital for tuberculosis.—The board of supervisors of any other county shall have power by a majority vote to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis; or it may submit the question of establishing such a hospital to the voters of the county at any general election, and in any county in which town meetings at which all the voters of the county may vote are held in the spring of the year, the board of supervisors of such a county shall have authority also to submit the question of establishing such a hospital at said town meetings to the electors of the county who are qualified to vote at a general election. The board of supervisors shall fix the sum of money deemed necessary for the establishment of said hospital. The form of the proposition submitted shall read as follows: "Shall the county of appropriate the sum of dollars for the establishment of a tuberculosis hospital?" The clerk of the board of supervisors, immediately upon the adoption of such resolution, shall forward to the duly constituted election authorities of the county a certified copy of said resolution providing for the submission of the proposition. The election notices shall state that the proposition will be voted upon and in the form set forth above. Such proposition shall be submitted on a distinct and separate ballot without any other question being printed thereon, any general or special law to the contrary notwithstanding. Provision for taking such vote and for the canvassing and returning of the result shall be made by the duly constituted election authorities.

If a majority of the voters voting on such proposition shall vote in favor thereof then such hospital shall be established hereunder and the sum of money named in the said proposition shall be deemed appropriated, and it shall be the duty of the board of supervisors to proceed forthwith to exercise the powers and authority conferred upon it in this section.

When the board of supervisors of any county shall have voted to establish such hospital, or when a referendum on the proposition of establishing such a hospital in a county, as authorized above, shall have been carried, the board of supervisors shall:

1. Purchase or lease real property therefor, or acquire such real property, and easements therein, by condemnation proceedings, in the manner prescribed by the condemnation law, in any town, city or village in the county. After the presentation of the petition in such proceeding prescribed in section 3360 of the code of civil procedure and the filing of the notice of pendency of action prescribed in section 3381 thereof, said board of supervisors shall be and become seized of the whole or such part of the real property described in said petition to be so acquired for carrying into effect the provisions of this act, as such board may, by resolution adopted at a regular or special session, determine to be necessary for the immediate use, and such board for and in the name of such county may enter upon, occupy and use such real property so described and required for such purposes. Such resolution shall contain a description of the real property of which possession is to be taken and the day upon which possession will be taken. Said board of supervisors shall cause a copy of such resolution to be filed in the county clerk's office of the county in which such property is situate, and notice of the adoption thereof, with a copy of the resolution and of its intention to take possession of the premises therein described on a day certain, also therein named, to be served, either personally or by mail, upon the owner or owners of, and persons interested in such real property, at least five days prior to the day fixed in such resolution for taking possession. From the time of the service of such notice, the entry upon and appropriation by the county of the real property therein described for the purposes provided for by this act, shall be deemed complete, and such notice so served shall be conclusive evidence of such entry and appropriation and of the quantity and boundaries of the lands appropriated. The board of supervisors may cause a duplicate copy of such papers so served, with an affidavit of due service thereof on such owner or person interested, to be recorded in the books used for recording deeds in the office of the county clerk of its county, and the record of such notice and such proof of service shall be prima facie evidence of the due service thereof. Compensation for property thus acquired shall be made in such condemnation proceeding.

2. Erect all necessary buildings and alter any buildings, on the property when acquired for the use of said hospital: *Provided*, That the location of the buildings and the plans and such part of the specifications as shall be required by the State commissioner of health for such erection or alteration together with the initial equipment shall first be approved by the State commissioner of health. Any changes in such location or plans shall also be first approved by the State commissioner of health and the State commissioner of health and his duly authorized representatives shall have the power to inspect such county hospitals during the course of their construction for the purpose of seeing that such plans are complied with.

3. Cause to be assessed, levied and collected such sums of money as it shall deem necessary for suitable lands, buildings and improvements for said hospital, and for the maintenance thereof, and for all other necessary expenditures therefor; and to borrow money for the erection of such hospital and for the purchase of a site therefor on the credit of the county, and issue county obligations therefor, in such manner as it may do for other county purposes.

4. Appoint a board of managers for said hospital as hereinafter provided.

5. Accept and hold in trust for the county, any grant or devise of land, or any gift or bequest of money or other personal property, or any donation to be applied, prin-

cipal or income, or both, for the benefit of said hospital, and apply the same in accordance with the terms of the gift.

6. Whenever it shall deem it in the public interest so to do, and notwithstanding the provisions of any other general or special act, change the location of such hospital and acquire a new site by purchase, lease or condemnation, as provided in this section, and establish the hospital thereon.

SEC. 2. Subdivisions 8 and 9 of section 47 of said chapter, as added by chapter 379 of the laws of 1913, is hereby amended so as to read as follows:

[The board of managers]

8. Shall notwithstanding any other general or special law erect all additional buildings found necessary after the hospital has been placed in operation and make all necessary improvements and repairs within the limits of the appropriations made therefor by the board of supervisors: *Provided*, That the location of the buildings and the plans and such part of the specifications as shall be required by the State commissioner of health for such additional buildings, improvements or repairs shall first be approved by the State commissioner of health. Any change in such location or plans shall also be first approved by the State commissioner of health and the State commissioner of health and his duly authorized representatives shall have the power to inspect such county hospitals during the course of the construction of such additional building for the purpose of seeing that such plans are complied with.

9. Shall employ a county nurse, or an additional nurse or nurses if it deems necessary, for the discovery of tuberculosis cases and for the visitation of such cases and of patients discharged from the hospital and for such other duties as may seem appropriate; and shall cause to be examined by the superintendent or one of his medical staff suspected cases of tuberculosis reported to it by the county nurse, or nurses, or by physicians, teachers, employers, heads of families or others; and it may take such other steps for the care, treatment and prevention of tuberculosis as it may from time to time deem wise.

SEC. 3. Section 48 of said chapter, as added by chapter 341 of the laws of 1909 and amended by chapters 149 and 239^o of the laws of 1912, chapter 379 of the laws of 1913 and chapter 132 of the laws of 1915, is hereby further amended by adding thereto a new subdivision to be known as subdivision 10, and to read as follows:

[The superintendent of the hospital]

10. May attend such courses in the diagnosis and treatment of tuberculosis and in hospital administration at the State hospital for the treatment of incipient pulmonary tuberculosis at Raybrook as may be established and which he may be authorized to attend by the board of managers of his hospital. The necessary expenses in traveling to and from the said State hospital for the treatment of incipient pulmonary tuberculosis at Raybrook for the purpose of taking such courses shall be a county charge.

SEC. 4. Section 49b of said chapter, as added by chapter 341 of the laws of 1909, is hereby amended so as to read as follows:

SEC. 49b. *Admission of patients from counties not having a hospital.*—In any county not having a county hospital for the care and treatment of persons suffering from tuberculosis, a county superintendent of the poor, upon the receipt of the application and certificate hereinafter provided for, shall apply to the superintendent of any such hospital established by any other county, for the admission of such patient. Any person residing in a county in which there is no such hospital, who desires to receive treatment in such a hospital, may apply therefor in writing to the superintendent of the poor of the county in which he resides on a blank to be provided by said superintendent for that purpose, submitting with such application a written certificate signed by a reputable physician on a blank to be provided by the superintendent of the

poor for such purpose, stating that such physician has, within the 10 days then next preceding, examined such person, and that, in his judgment, such person is suffering from tuberculosis. The superintendent of the poor, on receipt of such application and certificate, shall forward the same to the superintendent of any hospital for the care and treatment of tuberculosis. If such patient be accepted by such hospital, the superintendent of the poor shall provide for his transportation thereto, and for his maintenance therein at a rate to be fixed as hereinafter provided.

County Tuberculosis Hospitals—Appointment and Qualifications of Superintendents.
(Ch. 701, Act June 1, 1917.)

SECTION 1. Subdivision 1 of section 47 of chapter 16 of the laws of 1909, entitled "An act in relation to counties, constituting chapter 11 of the consolidated laws," as amended by chapter 132⁷ of the laws of 1915, is hereby amended to read as follows:

1. Shall elect from among its members a president and one or more vice presidents. It shall appoint a superintendent of the hospital who shall be also the treasurer and secretary of the board, and it may remove him for cause stated in writing and after an opportunity to be heard thereon after due notice; and may suspend him from duty pending the disposition of such charges. Said superintendent shall not be a member of the board of managers, and, except in the county of Monroe, shall be a graduate of an incorporated medical college, with an experience of at least three years in the actual practice of his profession.

Consolidated Health Districts—Expenses. (Ch. 182, Act Apr. 16, 1917.)

SECTION 1. Chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," is hereby amended by inserting therein a new section, to be section 20a, to read as follows:

SEC. 20a. *Expenses of consolidated health district.*—A consolidated health district may adopt the estimate system as provided by section 20 of this chapter, and, as provided by such section, may make and file with the clerk of the board of supervisors of the county, or if such district be located in more than one county, with the clerk of the board of supervisors of each such county, an estimate for the remainder of the current year and for the ensuing calendar year, and may issue a certificate of indebtedness upon the credit of the district for such portion of such estimate as may be needed to pay the expenses of the board until the tax levied on account of such assessment shall have been collected and paid to the board as provided by section 20 of this chapter. Such tax when collected shall be applicable in the first instance to the payment of such certificate.

Milk and Cream—Grades—Requirements. (Reg. Public Health Council, Jan. 9, 1917.)

CHAP. 3. REG. 13.¹⁰ *Designations of milk and cream restricted.*—All milk sold and offered for sale at retail shall bear one of the designations provided in this regulation, which constitutes the minimum requirements permitted in this State.

No term shall be used to designate the grade or quality of milk or cream which is sold or offered for sale, except

- "Certified"
- "Grade A raw"
- "Grade A pasteurized"
- "Grade B raw"
- "Grade B pasteurized"
- "Grade C raw"
- "Grade C pasteurized"

⁷ Pub. Health Repts. Reprint 338, p. 380.

¹⁰ Pub. Health Repts. Reprint 279, p. 123; Pub. Health Repts. Reprint 338, pp. 388, 389.

Certified.—No milk or cream shall be sold or offered for sale as "certified" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the local health officer.

All cows producing such milk or cream must have been tested at least once during the previous year with tuberculin, and any cow reacting thereto must have been promptly excluded from the herd. The reports of such tuberculin tests must be filed with the local health officer and the milk commission of the county medical society in the municipality and county respectively in which such milk is delivered to the consumer.

Such milk must not at any time previous to delivery to the consumer contain more than 10,000 bacteria per cubic centimeter and such cream not more than 50,000 bacteria per cubic centimeter.

Such milk and cream must be produced on farms which are duly scored on the scorecard prescribed by the State commissioner of health, not less than 35 per cent for equipment and not less than 55 per cent for methods.

Such milk and cream must be delivered within 36 hours of the time of milking.

Such milk and cream must be delivered to consumers only in containers filled at the dairy or central bottling plant.

The caps must contain the word "certified" and bear the certification of a milk commission appointed by the county medical society organized under and chartered by the Medical Society of the State of New York, and must also contain the name and address of the dairy as well as the date of milking.

Every employee before entering upon the performance of his duties shall be examined by a duly licensed physician and the reports of such examination shall be sent to the milk commission certifying the milk from such dairy.

The milkers and all persons handling the milk must be provided with suits and caps of washable material which shall be worn while milking or handling the milk and shall not be worn at other times. When not in use these garments must be kept in a clean place free from dust. Not less than two clean suits and caps must be furnished weekly. The hands of the milkers must be washed with soap and hot water, and well dried with a clean towel, before milking.

Grade A raw.—No milk or cream shall be sold or offered for sale as "grade A raw" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the local health officer.

All cows producing such milk or cream must have been tested at least once during the previous year with tuberculin, and any cow reacting thereto must have been promptly excluded from the herd.

Such milk must not at any time previous to delivery to the consumer contain more than 60,000 bacteria per cubic centimeter, and such cream not more than 300,000 bacteria per cubic centimeter.

Such milk and cream must be produced on farms which are duly scored on the scorecard prescribed by the State commissioner of health not less than 25 per cent for equipment, and not less than 50 per cent for methods.

Such milk and cream must be delivered within 36 hours from the time of milking, unless a shorter time shall be prescribed by the local health authorities.

Such milk and cream must be delivered to consumers only in containers sealed at the dairy or a bottling plant. The caps or tags must be in white and contain the term "grade A raw" in large black type, and the name and address of the dealer.

Grade A pasteurized.—No milk or cream shall be sold or offered for sale as "grade A pasteurized" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the local health officer.

All cows producing such milk or cream must be healthy as disclosed by an annual physical examination.

Such milk or cream before pasteurization must not contain more than 200,000 bacteria per cubic centimeter.

Such milk must not at any time after pasteurization and previous to delivery to the consumer contain more than 30,000 bacteria per cubic centimeter, and such cream not more than 150,000 bacteria per cubic centimeter.

Such milk and cream must be produced on farms which are duly scored on the scorecard prescribed by the State commissioner of health not less than 25 per cent for equipment and not less than 43 per cent for methods.

Such milk and cream must be delivered within 36 hours after pasteurization, unless a shorter time shall be prescribed by the local health authorities.

Such milk and cream must be delivered to consumers only in containers sealed at the dairy or at a bottling plant. The caps or tags must be white and contain the term "grade A pasteurized" in large black type.

Grade B raw.—No milk or cream shall be sold or offered for sale as "grade B raw" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the local health officer.

All cows producing such milk or cream must be healthy as disclosed by an annual physical examination.

Such milk must not at any time previous to delivery to the consumer contain more than 200,000 bacteria per cubic centimeter, and such cream not more than 750,000 bacteria per cubic centimeter.

Such milk and cream must be produced on farms which are duly scored on the scorecard prescribed by the State commissioner of health not less than 23 per cent for equipment and not less than 37 per cent per methods.

Such milk and cream must be delivered within 36 hours from the time of milking, unless a shorter time shall be prescribed by the local health authorities.

The caps or tags on the containers must be white and contain the term "grade B raw" in large, bright green type, and the name of the dealer.

Grade B pasteurized.—No milk or cream shall be sold or offered for sale as "grade B pasteurized" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the local health officer.

All cows producing such milk or cream must be healthy as disclosed by an annual physical examination.

Such milk or cream before pasteurization must not contain more than 1,500,000 bacteria per cubic centimeter.

Such milk must not at any time after pasteurization and previous to delivery to the consumer contain more than 100,000 bacteria per cubic centimeter, and such cream not more than 500,000 bacteria per cubic centimeter.

Such milk and cream must be produced on farms which are duly scored on the score card prescribed by the State commissioner of health not less than 20 per cent for equipment and not less than 35 per cent for methods.

Such milk must be delivered within 36 hours, and such cream within 48 hours after pasteurization, unless a shorter time is prescribed by the local health authorities.

The caps or tags on the containers must be white and contain the term "grade B pasteurized" in large, bright green type, and the name of the dealer.

The provisions of this subdivision shall take effect throughout the State of New York except in the city of New York, on the 1st day of January, 1916.

Grade C raw.—No milk or cream shall be sold or offered for sale as "grade C raw" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the local health officer.

Such milk and cream must be produced on farms which are duly scored on the score card prescribed by the State commissioner of health not less than 40 per cent.

Such milk and cream must be delivered within 48 hours from the time of milking, unless a shorter time shall be prescribed by the local health authorities.

The caps or tags affixed to the containers must be white and contain the term "grade C raw" in large red type.

Grade C pasteurized.—No milk or cream shall be sold or offered for sale as "grade C pasteurized" unless it conforms to the following requirements:

The dealer selling or delivering such milk or cream must hold a permit from the local health officer.

Such milk and cream must be produced on farms which are duly scored on the score card prescribed by the State commissioner of health not less than 40 per cent.

Such milk and cream must be delivered within 48 hours after pasteurization, unless a shorter time shall be prescribed by the local health authorities.

The caps or tags affixed to the containers must be white and contain the term "grade C pasteurized" in large red type.

The bacterial count herein required shall be made only at county or municipal laboratories or such other laboratories as may be approved by the State commissioner of health.

In those municipalities where a bacterial count of the milk is, in the opinion of the local health authorities, impracticable, they may in their discretion grade milk and cream according to the score of the dairies producing it, as prescribed in this regulation, but no such milk shall be designated "certified," "grade A raw," or "grade A pasteurized."

This regulation shall not be construed to rescind or modify any existing local regulation or ordinance controlling the grading of milk or cream established prior to the 1st day of September, 1914.

Milk and Cream—Production and Sale—Powers of Municipalities. (Reg. Public Health Council, July 10, 1917.)

Regulation 14¹¹ of chapter 3 of the sanitary code of the State of New York is hereby amended to read as follows:

REG. 14. Supplementary regulations by local authorities.—The health authorities of any municipality may in their discretion increase the stringency of these regulations or add to them in any way not inconsistent with the provisions thereof, and may prohibit the sale, or the keeping for sale, within the municipality of any of the grades of milk herein defined.

Evaporated and Condensed Milk—Sale. (Ch. 323, Act May 2, 1917.)

SECTION 1. Section 37 of chapter 9 of the laws of 1909, entitled "An act in relation to agriculture, constituting chapter 1 of the consolidated laws," as amended by chapter 608 of the laws of 1911 and chapter 144¹² of the laws of 1916, is hereby amended to read as follows:

SEC. 37. Regulations in regard to evaporated or condensed milk.—No evaporated or condensed milk shall be made or offered or exposed for sale or exchange unless manufactured from pure, clean, healthy, fresh, unadulterated and wholesome milk from which the cream has not been removed either wholly or in part, except for the purpose of standardizing, in which case such standardized evaporated or condensed

¹¹ Pub. Health Repts. Reprint 279, p. 125.

¹² Pub. Health Repts. Reprint 406, p. 170.

milk shall contain the proportionate quantity of solids and the proportionate amount of fats required in evaporated or condensed milk. Evaporated or condensed milk manufactured, sold or exposed for sale or exchange in hermetically sealed cans shall contain milk solids in quantity not less than 25.5 per centum, and not less than 7.8 per centum milk fat. Sweetened condensed milk manufactured, sold or exposed for sale or exchange in hermetically sealed cans shall contain not less than 28 per centum milk solids and not less than 8 per centum milk fat. No person shall manufacture, sell or offer for sale or exchange in hermetically sealed cans, any condensed milk unless put up in packages upon which shall be distinctly labeled or stamped the name of the person or corporation by whom made and the brand by which or under which it is made. When evaporated or condensed milk shall be sold from cans or packages not hermetically sealed, the producer shall brand or label the original cans or packages with the name of the manufacturer of the milk contained therein: *Provided, however,* That no unsweetened evaporated or condensed milk shall be sold or offered for sale in containers not hermetically sealed, unless the proportion of milk solids shall be the equivalent of $11\frac{1}{2}$ per centum of milk solids in crude milk, and of which milk solids 25 per centum shall be fats.

Dairy Cattle—Care of Diseased Animals—Tuberculin Test. (Ch. 343, Act May 3, 1917.)

SECTION 1. Section 94 of chapter 9 of the laws of 1909, entitled "An act in relation to agriculture, constituting chapter 1 of the consolidated laws," is hereby amended to read as follows:

SEC. 94. *Care of diseased animals: experiments.*—If after examination an animal is, in the judgment of the person making the examination, suffering from tuberculosis, such animal shall be slaughtered under the provisions of this article, or, if the commissioner deems that a due regard for the public health warrants it, he may enter into a written agreement with the owner, subject to such conditions as the commissioner of agriculture may prescribe, for the separation and quarantine of such diseased animal or animals. Subject to the regulations of the department of agriculture, such diseased animal or animals may continue to be used for breeding purposes and its or their milk, after pasteurization, under rules and regulations made by the commissioner of agriculture, may be used for the manufacture of butter or cheese or for sale. The young of any such diseased animal or animals shall, immediately after birth, be separated from their mothers, but may be fed the milk drawn from such affected animal or animals so separated and quarantined after such milk has been pasteurized as herein provided. The owner of a herd of cattle, within the State, may apply to the commissioner of agriculture for examination of his herd by the tuberculin test; said application to be in writing upon a blank form provided by the commissioner of agriculture and to include an agreement on the part of the owner or owners of the herd to improve faulty sanitary conditions; to disinfect his premises, should diseased cattle be found, and to follow instructions of the commissioner of agriculture designed to prevent the reinfection of the herd and to suppress the disease or prevent the spread thereof. The commissioner of agriculture shall, as soon as practicable, cause such cattle to be examined accordingly, subject to the provisions of this chapter. When the commissioner deems that the conditions warrant it he may make and issue to such owner a certificate that upon such examination such herd was found free from tuberculosis or that the owner has complied with the provisions of this section by causing all affected animals to be separated from the herd and quarantined as provided herein subject to the regulations of the department of agriculture. The commissioner of agriculture may determine the place of slaughter of an animal to be killed under the provisions of this chapter. The commissioner may experiment or cause such experiments to be made or performed as he may deem necessary to ascertain or

determine the best methods or means for the control, suppression or eradication of communicable or infectious disease or diseases affecting domestic animals. No person shall sell any animal known to have a communicable or infectious disease except for immediate slaughter unless such sale be made under a written contract signed by both parties specifying the disease with which such animal is infected, a copy of which shall be filed in the office of the commissioner of agriculture. No person shall knowingly inject into any bovine animal as and for tuberculin any substance which is not tuberculin.

Habit-Forming Drugs—Sale and Dispensing—Sale and Possession of Hypodermic Syringes and Needles—Commitment of Drug Addicts. (Ch. 431, Act May 9, 1917.)

SECTION 1. Sections 245, 246, 247 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter forty-five of the consolidated laws," as added by chapter 363¹³ of the laws of 1914 and amended by chapter 327¹⁴ of the laws of 1915, are hereby amended to read, respectively, as follows:

SEC. 245. *Sale prohibited; exception.*—No pharmacist, druggist or other person shall sell, have or offer for sale or give away any opium or any of the salts, alkaloids or derivatives or any compound or preparation of any of them except upon the written prescription of a duly licensed physician, veterinarian or dentist: *Provided*, That the provisions of this article shall not apply to the sale of domestic and proprietary remedies, nor to physicians' prescriptions, compounded solely for the person named in the original prescription, actually sold in good faith as medicines and not for the purpose of evading the provisions of this article: *And provided further*, That such remedies, prescriptions and preparations do not contain more than two grains of opium, or one-fourth grain of morphine or one-eighth grain of heroin or one grain of codeine, or their salts in one fluid ounce or if a solid preparation, in one avoirdupois ounce, nor to plasters, liniments and ointments for external use only: *Provided further*, That all such preparations shall contain other active drugs in sufficient proportions to confer upon them other and additional medicinal properties than those possessed by the unmixed drugs, salts, alkaloids or derivatives specified in this section. It shall not be necessary, however, to negative any of the exceptions or exemptions contained in this article, in any information or indictment, and the burden of proof of any such exception and exemption shall be upon the defendant.

SEC. 246. *Prescriptions; certificates.*—It shall be unlawful for any person to sell at retail, give away, furnish or traffic in or aid, assist or abet in the traffic in any of the drugs, their salts, derivatives or preparations mentioned in section 245 of this chapter except as herein provided without first receiving a written prescription signed by a duly licensed physician, veterinarian or dentist. The prescription must contain substantially the following: The name in full of the physician, veterinarian or dentist issuing such prescription, his office address, and the name, age and address of the person to whom and date on which such prescription is issued. If such prescription is issued to a person addicted to the use of any of the drugs specified in section 245 of this chapter, such prescription shall contain a statement that the same has been issued in a case of addiction. It shall be unlawful for any duly licensed physician, veterinarian or dentist to issue any such prescription containing any of the drugs, their salts, derivatives or preparations mentioned in section 245 of this chapter, and for any duly licensed physician or dentist to dispense, give or deliver any of the said drugs, their salts, derivatives or preparations, except after a physical examination of the person for whom said drugs are prescribed for the treatment of disease, injury or deformity. It shall be unlawful for any person to sell at retail or furnish any of

¹³ Pub. Health Repts. Reprint 279, p. 133.

¹⁴ Pub. Health Repts. Reprint 338, p. 393.

the drugs or preparations of any of those mentioned in section 245 of this chapter, without first verifying the authority of any prescription containing more than 4 grains of morphine, 30 grains of opium, 2 grains of heroin, or 6 grains of codeine. Such verification can be made by telephone or otherwise. Such prescriptions so received shall be filled out at the time of receiving the same for the full quantity prescribed and no prescription so received shall be filled out more than 10 days after the date which said prescription be dated. Such prescription, from which no copy shall be taken, shall be retained by the person who dispenses the same and shall be filled but once. A separate file of all such prescriptions shall be kept by the pharmacist, druggist, or other person filling the same, showing:

1. The file number given to each prescription filled;
2. The name of the physician or surgeon signing the same; and
3. The name and address of the person for whom such prescription is filled, and the name of the person to whom such prescription is delivered.

Any person who sells at retail, furnishes, gives away, or dispenses any of the drugs mentioned in section 245 of this chapter upon a written prescription by a duly registered physician or veterinarian or dentist shall at the time of dispensing the same, place upon the package or container of such drugs, a label or deliver therewith a certificate stating the name and address of the person selling or furnishing the same, the name and address of the physician, veterinarian or dentist upon whose prescription such sale is made, the date of sale, and the name of the person to whom such sale is made. Any person, other than a manufacturer of any of the drugs mentioned in section 245 or a wholesale dealer in drugs or a licensed pharmacist, licensed druggist, duly registered practicing physician, licensed veterinarian or a licensed dentist, who shall possess any of the drugs mentioned in section 245, or their salts, derivatives or preparations, shall be guilty of a misdemeanor, unless said possession is authorized by the label or certificate described in this section. The authorized possession of a certificate or label issued on the filling of a prescription or the dispensing as provided in this article, shall be a defense to a charge of misdemeanor under this article: *Provided*, The person possessing such substance shall not have in his possession an amount exceeding the amount specified in such certificate or label: *And provided, however*, That fraud, deceit, or misrepresentation, or the use of a false name, in obtaining treatment under the provisions of this section shall be deemed a violation thereof and no wilful, false or misleading statement made in violation of this section shall be deemed a privileged communication. Nothing herein contained shall be construed to prohibit the sale of any of such drugs by any manufacturing pharmacists or chemists or wholesale or retail pharmacists or druggists, to other manufacturing pharmacists or chemists, or wholesale or retail pharmacists, or druggists, or to hospitals, colleges, scientific or public institutions, except that such sale shall be made in the manner provided in the next succeeding section. It shall be lawful, however, subject to the requirements of this article, for any duly licensed physician after a physical examination, personally conducted, to administer to or prescribe for any person, whom such examination discloses is addicted to the use of any habit-forming drugs, any of the drugs herein referred to, in reasonable quantities dependent upon the condition of such person and his progress toward recovery, provided such physician acts in good faith, solely for the purpose of relieving physical stress or of effecting a cure of such habituate. Such physician shall first satisfy himself that such applicant is thus seeking a means of relieving physical pain and not procuring or attempting to procure drugs for the purpose of illegal sale or distribution.

SEC. 247. *Order blanks; filing.*—The State commissioner of health shall prepare official order blanks, serially numbered in triplicate form, bound in books. The said official order blanks shall be furnished by the State board of health to any duly licensed physician, dentist, pharmacist, druggist or veterinarian, who shall have reported to the State board of health, as hereinafter provided, and to all wholesale dealers and

jobbers in drugs, upon which official order blanks must be written all orders for the purchase of any of the drugs enumerated in section 245 of this chapter for the use of such physician, dentist, pharmacist, druggist, veterinarian, hospital, college, scientific or public institution or for the purchase thereof by all wholesale dealers and jobbers in drugs. It shall be unlawful for any person in this State to sell, furnish or dispose of, to any physician, pharmacist, druggist, veterinarian, dentist, hospital, college, scientific or public institution or wholesale dealer or jobber in drugs conducting a lawful business within the State any of the drugs or derivatives, enumerated in section 245 of this chapter, without first receiving from such physician, pharmacist, druggist, veterinarian, dentist or wholesale dealer or jobber in drugs an official order blank as provided by this section, which official order shall be retained by the person or corporation who sells, furnishes, or dispenses any of the drugs enumerated in section 245 of this chapter. One of such official orders shall be forthwith delivered by the person ordering or purchasing any of such drugs to the State department of health at Albany, New York, except in cities of the first class where such official order shall be delivered to the local board of health, where the same shall be open to inspection by any person charged with the duty of enforcing the provisions of this article. One copy of such official order shall be kept by the physician, dentist, pharmacist, druggist, or veterinarian, hospital or institution, or wholesale dealer or jobber in drugs, issuing the same for the period required by section 249e of this article. Such official order hereby required to be kept by the person or corporation selling, furnishing, or dispensing such drugs, shall be kept in a separate file or book and an entry made or caused to be made on the order at the time of making such sale, stating the date of sale, the name and address of the purchaser.

It shall be unlawful for any physician, dentist, pharmacist, druggist, veterinarian, hospital, institution, sanitarium, wholesale dealer or jobber in drugs to have any of the drugs enumerated in section 245 of this chapter in his possession after the 1st day of July, 1917, except when the same shall have been received pursuant to a written order of the purchaser thereof upon the official order blank mentioned in this section, and except when such person having in his possession such drugs, shall also have delivered a duplicate of such order blank to the State department of health, or local board of health, as the case may be, as in this section required: *Provided further*, That the provisions of this section shall not apply to the possession of any of said drugs by physicians, dentists, pharmacists, druggists, veterinarians, hospitals, institutions, sanitariums or wholesale dealer or jobber in drugs at the time this act shall take effect when the same shall have been lawfully acquired pursuant to existing law. The provisions of this section shall not prohibit the sale of drugs enumerated in section 245 of this chapter to persons registered under the laws of the United States and residing outside the State of New York.

Every person, corporation or institution authorized under the provisions of this article to engage in the sale or distribution of the drugs or articles herein referred to shall on or before July 10 of each year file with the State department of health a verified itemized statement of all of the drugs mentioned in section 245 of this chapter in his or its possession on July 1 of the year in which such statement is filed: *Provided, however*, That after July 10, 1917, where such person, corporation or institution takes a stock inventory, either at the close of a business fiscal year or of the calendar year, such inventory showing the amount of the drugs mentioned in section 245 of this chapter may be filed with the State department of health at Albany in lieu of the statement hereinbefore mentioned. Such inventory or statement shall be verified by oath or affirmation.

SEC. 2. Such chapter is hereby amended by adding after section 247, a new section to be section 247a thereof, to read as follows:

SEC. 247a. *False representations, et cetera.*—No official order blanks shall be issued to any person who shall have been convicted of a wilful or intentional violation of the provisions of this article or to any person other than a duly licensed physician, veterinarian, pharmacist, druggist or dentist, or wholesale dealer or jobber in drugs, nor shall any physician, veterinarian, druggist, pharmacist or dentist, or any wholesale dealer or jobber in drugs have, keep, sell, dispense or furnish any of the drugs in section 245 of this article mentioned, unless he shall, within 10 days after the 1st day of July, 1917, and each year thereafter, file with the State board of health a report setting forth his name, residence, age and occupation, and the places where he has so practiced such profession or business within the two years next preceding the filing of said report and if a hospital, college, scientific or public institution, setting forth the name and place of business thereof: *Provided, however,* That such blanks shall be issued to persons legally conforming to the regulations and statutes of this State who shall newly establish or engage in the practice or business of prescribing or dispensing narcotics subsequent to July 10, 1917, or any year thereafter. All official order blanks shall, when issued by the State department of health, bear thereon the name of the person, firm, association or corporation to whom such blanks are delivered plainly written or stamped, and no person other than the purchaser shall use any of said blanks bearing the name of the purchaser, and if any person shall obtain or attempt to obtain by means of said order blanks any of the drugs mentioned in section 245 of this article for any purpose other than the use, sale or distribution by him in the conduct of a lawful business in said drugs or in the legitimate practice of his profession, he shall be guilty of a felony.

Any person who, for the purpose of obtaining any of the drugs mentioned in this article, and for the purpose of evading any of the provisions thereof, shall falsely assume or use the title of "licensed pharmacist," "licensed druggist," "licensed physician," "licensed veterinary surgeon," or "licensed dentist," or in any manner falsely represent himself to be a licensed pharmacist, licensed druggist, licensed physician, licensed dentist, or licensed veterinary surgeon, or who shall falsely represent himself to be an importer, manufacturer, or dealer engaged in the conduct of a lawful business in said drugs, or who shall utter any false or forged prescriptions, or shall alter an original written prescription or order for any of the drugs mentioned in this article shall be guilty of a felony. Any person who shall make any false report, return or certificate, required by the provisions of this article to be made, shall be guilty of a misdemeanor.

SEC. 3. Section 248 of such chapter as added by chapter 363 of the laws of 1914 and amended by chapter 327 of the laws of 1915, is hereby amended to read as follows:

SEC. 248. *Physicians, et cetera, to keep records.*—All persons authorized by law to sell, administer, prescribe, dispense or dispose of any of the drugs enumerated in section 245 of this chapter, shall forthwith keep on record the name and address of each person to whom such drug is dispensed, given or in any manner delivered and the quantity so dispensed, given or delivered, and all such persons shall likewise keep a record of the disposition made of any quantity of such drugs referred to, whether such disposition be in the preparation of compounds or otherwise, and if used in the preparation of compounds the quantity so used in each compound and where placed. Such record shall be preserved for two years and shall always be open for inspection by the authorities charged with the enforcement of the provisions of this article. Every physician, institution, hospital or sanitarium prescribing or furnishing any of the drugs, their salts, derivatives or preparations mentioned in section 245 of this chapter, to be taken or used by any person who shall be ascertained by such physician, hospital, institution or sanitarium, as a result of a physical examination or otherwise, to be an habitual user of any of the drugs enumerated in section 245 of this chapter, shall keep a separate record of such prescriptions, and upon the first day of each month, such

physician, hospital, institution or sanitarium shall deliver to the State board of health a report, which shall state the name, age and residence of each such narcotic drug addict for whom he has prescribed or furnished any of the drugs specified in section 245 of this chapter. Each physician, hospital, institution and sanitarium, shall, for the period enumerated in section 249 of this chapter, keep a copy of such report which shall always be open to the inspection of the authorities charged with the enforcement of the provisions of this article. All papers, records, information, statements, and data filed with the State board of health pursuant to the provisions of this article, and all records of proceedings or actions taken by the State board of health pursuant to the provisions of this article, shall be regarded as confidential, and shall not be open to inspection by the public or any person other than the official custodians of such records, and such persons as may be authorized by law to inspect such records, and those persons duly authorized to prosecute or enforce the Federal statutes or the laws of the State of New York, but only for the purposes of such prosecution or enforcement; and any employee, or other persons who shall disclose or aid in the disclosure of such, or any part of such papers, records, information, statements, or data to any person not authorized by law to inspect the same, shall be guilty of a misdemeanor.

No person shall aid, abet or assist any other person, not a licensed druggist, licensed pharmacist, licensed physician, licensed veterinarian or licensed dentist or wholesale dealer or jobber in drugs or a designated official of a hospital, sanitarium or institution to procure any of the drugs enumerated in section 245 of this chapter, except as provided in section 247 of this chapter or upon the prescription of a duly licensed physician, dentist or veterinarian. Any violation of this section is hereby declared to be a misdemeanor.

SEC. 4. Such chapter is hereby amended by adding after section 248 as added by chapter 363 of the laws of 1914 and amended by chapter 327 of the laws of 1915, a new section to be section 248a thereof, to read as follows:

SEC. 248a. *Prescriptions of veterinarians and dentists.*—No veterinary surgeon shall prescribe, dispense or furnish any of the drugs mentioned in section 245 of this chapter for the treatment of or consumption by a human being. No dentist shall issue any such prescription for, dispense or furnish any of such drugs for the use of any person not then under his immediate treatment as a dentist or for any other purpose than as a part of such treatment, and no dentist shall dispense, furnish or issue a prescription for any of such drugs in quantities greater than is necessary for the immediate treatment of the person to whom the drugs are furnished.

SEC. 5. Sections 249, 249a and 249d of such chapter as added by chapter 363 of the laws of 1914 and amended by chapter 327 of the laws of 1915, are hereby amended to read as follows:

SEC. 249. *Hypodermic syringe; sale of; record; penalty.*—It is unlawful for any person to sell at retail or to furnish to any person other than a duly licensed physician, dentist, or veterinarian, an instrument commonly known as a hypodermic syringe or an instrument commonly known as a hypodermic needle, without the written order of a duly licensed physician, dentist, or veterinarian. Every person who disposes of or sells at retail, or furnishes or gives away to any person, either of the above instruments, upon the written order of a duly licensed physician, dentist, or veterinarian, shall, before delivering the same, enter in the book kept for that purpose the date of the sale, the name and address of the purchaser, and a description of the instrument sold, disposed of, furnished or given away. It shall be unlawful for any person or persons, except a licensed pharmacist, licensed druggist, licensed physician, licensed dentist, licensed veterinarian, hospital or regular dealer in medical or surgical supplies, to possess such instrument, without having in their possession a certificate

from a physician certifying that the possession of such instrument is necessary for the treatment of injury, deformity or disease then suffered by the person possessing the same, or if possessed by a nurse, a certificate from a duly licensed physician that such possession is for professional purposes. Any person or persons who sell, dispose of or give away an instrument commonly known as a hypodermic syringe, or an instrument commonly known as a hypodermic needle, except in the manner prescribed in this section, shall be guilty of a misdemeanor: *Provided, however,* That any person owning or having in his possession any such hypodermic syringe or hypodermic needle at the time this section, as amended, takes effect, may lawfully keep or retain the same upon obtaining from a duly licensed and registered physician, dentist or veterinarian within 10 days after this section as hereby amended shall take effect, a certificate to the effect that such syringe or needle was purchased before this section, as amended, took effect and that such syringe or needle may be required for future use for treatment of an injury, deformity or disease which the person possessing the instrument is then suffering from.

SEC. 249a. *Commitment of habitual drug users; procedure; treatment; discharge.*—The constant use by any person of any habit forming drug, except under the direction and consent of a duly licensed physician, is hereby declared to be dangerous to the public health. Whenever a complaint shall be made to any magistrate that any person is addicted to the use of any habit forming drug, without the consent or direction of a duly licensed physician, such magistrate, after due notice and hearing, if satisfied that the complaint is founded and that the person is addicted to the use of a habit forming drug, shall commit such person to a State, county or city hospital, or institution licensed under the State lunacy commission, or any correctional or charitable institution maintained by the State or any municipality thereof, for the treatment of disease or inebriety: *Provided, however,* that such magistrate may suspend sentence and parole such addict to the care of such addict's physician, where such magistrate is satisfied that the interest of such addict so requires, and it satisfactorily appears to such magistrate that such addict is able to defray the expense of competent medical treatment. Any court having jurisdiction of a defendant in a criminal proceeding, if it appears that a defendant is a habitual drug user, may commit such user for treatment as herein provided at any stage of such proceeding against such defendant, and may stay proceedings, withhold conviction or suspend sentence, pending the period of such commitment. Whenever the chief medical officer of such institution shall certify to the committing magistrate or court that any person so committed has been sufficiently treated or give any other reason which is deemed adequate and sufficient, he may in accordance with the terms of commitment discharge the person so committed, or return such person to await the further action of the court: *Provided, however,* That when such a commitment is to an institution under the jurisdiction of a department of correction, or other similar department in a city of the first class where there is a parole commission established pursuant to law, such commission shall act in the place and stead of a chief medical officer for the purpose of making such a certificate. Every person committed under the provisions of this section shall observe all the rules and regulations of the institution or hospital. Any such person who willfully violates the rules and regulations of the institution or repeatedly conducts himself in a disorderly manner may be taken before a magistrate by the order of the chief medical officer of the institution. The chief medical officer may enter a complaint against such persons for disorderly conduct and the magistrate, after a hearing and upon due evidence of such disorderly conduct, may commit such person for a period of not to exceed six months to any institution to which persons convicted of disorderly conduct or vagrancy may be committed, and such institution shall keep such persons separate and apart from the other inmates: *Provided,* That nothing in this section shall be construed to prohibit any person committed to any

institution under its provisions from appealing to any court having jurisdiction for a review of the evidence in which this commitment was made.

Nothing herein contained shall be deemed to preclude any of the institutions referred to, from accepting as a charity patient, any person voluntarily applying for treatment for drug addiction, and any such institution may if a voluntary applicant signs a statement that he is suffering from drug addiction and desires treatment in the same manner and subject to the same rules and restrictions as if committed by a magistrate, receive such person without formal commitment, with like effect as if formally committed, subject to discharge when sufficiently treated, or for any other reason deemed adequate. Any local health board or officer may, likewise, with the consent of such hospital and the approval of the proper officials charged with the care of the poor, on such an application and signed statement place the applicant in any hospital receiving such patients. The local health board or officer shall adopt a blank form of application for such treatment and on request shall furnish copies thereof for the use of any such institution.

SEC. 249d. *Penalties.*—Any violation of any of the provisions of this article shall be deemed a misdemeanor, except as otherwise provided in section 247a of this chapter, and except that the sale, offering for sale, giving away or dispensing of any of the drugs mentioned in section 245 of this chapter, otherwise than as permitted by this article, to any child under the age of 16 years shall be deemed a felony. Nothing contained in this article shall be construed to amend or repeal section 1746 of the penal law relating to the sale of cocaine or euaine and regulations respecting their possession.

SEC. 6. Such chapter is hereby amended by adding after section 249d, two new sections, to be sections 249e and 249f, to read as follows:

SEC. 249e. *Supply of drugs to addicts.*—Any local board of health may furnish, or authorize to be furnished, without charge, to any person found upon a physical examination to be addicted to the use of any habit-forming drug, a prescription as provided for in section 246 of this chapter, for such a sufficient quantity of any such drug as is necessary, in the opinion of a physician of any such board of health, to provide for the necessities of such person, pending treatment. The State department of health shall prescribe appropriate regulation under which said drugs are to be prescribed and dispensed by such local board of health.

SEC. 249f. *Records to be preserved; fees; inspectors.*—All records, prescriptions, orders, certificates and other instruments in writing which, by the provisions of this article, are required to be delivered, kept and exhibited by any person or official, shall be kept and preserved by such persons and officials for a period of two years from the date of the same, and shall at all times be kept open to inspection by officers and agents of the State and local boards of health and to all other persons charged with the enforcement of the law. The State board of health is hereby authorized to appoint such inspectors and agents as may be necessary to enforce the provisions of this article.

All State, county and city hospitals, all correctional and charitable institutions, all private hospitals, institutions and sanitariums purporting to treat and cure drug addictions, and all persons using, dispensing or possessing any of the drugs mentioned in section 245 of this article, shall keep records showing the time and amount of any quantity of said drugs so received and the times when and the persons to whom any of said drugs are dispensed, which records shall be kept and preserved for the period mentioned in section 249e of this article, and shall be at all times open to the inspection of the authorities charged with the enforcement of the law. All official blanks shall be sold to the person entitled to possess the same pursuant to the provisions of this article at a price to be fixed by the State board of health, which price shall not, however, exceed the sum of \$1 per hundred triplicate blanks.

SEC. 7. This act shall take effect July 1, 1917.

Births and Deaths—Registration—Registration Districts—Registrars. (Ch. 321, Act May 2, 1917.)

SECTION 1. Sections 372 and 373 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as added by chapter 619¹⁵ of the laws of 1913, are hereby amended to read as follows:

SEC. 372. *Registration districts.*—The State shall be divided into registration districts as follows: Each city, each incorporated village, each town, and each State hospital, charitable or penal institution shall constitute a primary registration district: *Provided*, That the State commissioner of health may combine two or more primary registration districts or divide one registration district into two or more primary districts to facilitate registration.

SEC. 373. *Registrar of vital statistics.*—In each primary registration district there shall be a registrar of vital statistics. Qualifications of registrars of vital statistics hereafter appointed shall be prescribed by the public health council. A local health officer shall be eligible for appointment as registrar of vital statistics and if so appointed and if receiving a salary equivalent to not less than 15 cents per year per inhabitant of such registration district, he shall serve as registrar of vital statistics without additional remuneration therefor. In towns and villages the registrar or registrars of vital statistics shall be appointed by the town board and by the village board of trustees respectively; in the cities, unless otherwise provided by the charter, the registrar or registrars of vital statistics shall be appointed by the mayor. In each primary registration district consisting of a State hospital, charitable or penal institution, the registrar shall be the superintendent or person in charge of such institution: *Provided, however*, That he shall receive no additional remuneration for acting as such registrar. The term of office of a registrar of vital statistics, unless the charter of the city or village shall provide otherwise, shall be four years. Each registrar of vital statistics shall hold office until his successor shall have been appointed and shall have qualified. Any registrar of vital statistics who in the judgment of the State commissioner of health fails or neglects to discharge efficiently the duties of his office as set forth in this article, or to make prompt and complete return of births and deaths as required thereby, shall be forthwith removed by the State commissioner of health, and such other penalties may be imposed as are provided by this article. Each registrar of vital statistics shall immediately upon his acceptance of appointment as such, appoint a deputy whose duty it shall be to act in his stead in case of his absence or inability, and such deputy shall in writing accept such appointment and be subject to all rules and regulations governing registrars. When it appears necessary for the convenience of the people in any rural district, the registrar is authorized, with the approval of the State commissioner of health, to appoint one or more suitable persons to act as subregistrars, who shall be authorized to receive birth and death certificates and to issue burial or removal permits in and for such portions of the district as may be designated, and each such subregistrar shall note on each certificate over his signature the date of filing and shall forward all certificates to the local registrar of the district within three days, and in all cases before the third day of the following month: *Provided, however*, That each subregistrar shall be subject to the supervision and control of the State commissioner of health and may be by him removed for neglect or failure to perform his duty in accordance with the provisions of this act or the regulations of the public health council, and shall be subject to the same penalties for neglect of duty as the local registrar.

¹⁵ Pub. Health Repts. Reprint 264, p. 326,

Birth and Death Reports and Burial, Removal, and Transit Permits—Fees of Local Registrars and Physicians. (Ch. 111, Act Mar. 30, 1917.)

SECTION 1. Section 390 of chapter 49 of the laws of 1909, entitled "An act in relation to the public health, constituting chapter 45 of the consolidated laws," as added by chapter 619¹⁵ of the laws of 1913 and amended by chapter 385¹⁶ of the laws of 1915, is hereby amended to read as follows:

SEC. 390. *Fees of registrar for the prompt and correct return and filing of birth and death certificates.*—Except as hereinbefore otherwise provided each registrar and each physician shall be paid the sum of 25 cents for each birth certificate properly and completely made out and registered and each death certificate properly and completely made out in accordance with the international list of causes of death and returned and filed with the registrar and correctly recorded and promptly returned by him to the State commissioner of health, as required by this article. And in case no births or no deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, but only if such report be made promptly as required by this article. All amounts payable to the local registrar under the provisions of this article shall be paid by the municipality comprising the registration district, upon certification by the State commissioner of health and all amounts payable to physicians shall be certified to by the local registrar annually and paid to said physicians by said municipality. The State commissioner of health shall annually certify to the municipality the number of births and deaths properly registered, with the name of the local registrar and the amount due him at the rate fixed herein. In addition thereto the local registrar shall be paid a fee of 25 cents for each burial, removal or transit permit issued by him.

Sewage Disposal in Municipalities. (Ch. 709, Act June 1, 1917.)

SECTION 1. Section 120 of chapter 29 of the laws of 1909, entitled "An act relating to municipal corporations, constituting chapter 24 of the consolidated laws," is hereby amended to read as follows:

SEC. 120. *Contracts for purification of water and sewerage.*—The local authorities of the several cities, towns and villages of the State having charge of the supply of water and the care of sewerage in their respective localities, are hereby authorized, on behalf of their cities, towns and villages, respectively, to enter into contracts with the owners of any process or apparatus for the purification of water and sewerage whether protected by patents or not, and either contract for the use of apparatus and process for a term of years or for the purchase of the same, as to them shall seem advisable. It shall be lawful for any two or more of such municipalities in this State, excepting only cities of the first and second class, without regard to the form of their incorporation, including towns or sewer districts of towns, to jointly construct, provide, maintain and operate a comprehensive system of sewerage including trunk lines and laterals, or a system of conveying or conducting sewerage from said municipalities from a point or points to be agreed upon to a common destination or disposal plant or plants, and to construct, maintain and operate within or without the said municipalities or any of them one or more outlet or trunk sewers, plants, works or stations for the treatment, disposal, or rendering of sewerage, or any such municipality or any such municipalities may jointly or severally contract for the construction for it or them of any such system, extension or part thereof, including any such sewers, plants, works or stations, and agree to pay annually, semiannually or quarterly for the use or possession thereof, by way of permanent rental reserved therefor; or such lawful authorities of the respective municipalities may jointly or severally contract with any person, persons or corporation or with other municipalities or sewage districts for the removal of

¹⁵ Pub. Health Repts. Reprint 264, p. 326.

¹⁶ Pub. Health Repts. Reprint 338, p. 398.

sewage within the boundaries of such local government, upon such reasonable terms as they may agree upon. And to that end the governing bodies or boards of any two or more municipalities, including sewer districts of a town, authorized by law to have charge of sewer systems established or to be established in said municipalities, or sewer districts of a town, respectively, may unite and jointly cause to be made at their joint expense (each district bearing a part of the expense in proportion to the assessed valuation of real estate in such district, or on such other basis or division as may be jointly agreed upon) by competent engineers, mechanics and others, surveys, maps, plans, reports and estimates of proposed works and improvements relating to such contemplated public improvement or works authorized by this act, which such municipalities may desire to jointly provide, maintain, operate or lease under the authority conferred by this act, and for such purpose they may determine upon the final route and plan for the building or construction of such sewerage system and for the making of such surveys, maps, plans, reports and estimates as provided in this section. It shall be lawful for the officers and agents of such municipalities to enter at all times upon any lands or waters for the purpose of exploring, surveying, and laying out the route of such sewerage system.

SEC. 2. Such chapter is hereby amended by inserting therein 18 new sections to follow section 120, to be sections 120a, 120b, 120c, 120d, 120e, 120f, 120g, 120h, 120i, 120j, 120k, 120l, 120m, 120n, 120o, 120p, 120q, 120r, and 120s, to read respectively as follows:

SEC. 120a. *Contracts for sewerage disposal*—The respective municipalities and districts may contract with each other, or they may jointly or severally contract with a third person, corporation or municipality, either for the construction, operation, maintenance or leasing of a complete comprehensive system for the removal and disposal of sewerage, or of a trunk line system with or without lateral connections, with or without the sewerage disposal plant or of a sewerage disposal plant; each of the boards or commissioners, however, binding only the municipalities or districts which they respectively represent. Such municipalities jointly acting through such board or commissioners, if they deem it expedient so to do, may contract with any other municipality or municipalities through or over whose territory such trunk sewer or sewers are intended to pass, for the construction of said outlet, trunk sewer or sewers and appurtenances located within the territory of such other municipality, in such manner as may be agreed upon between such other municipality, and the municipality theretofore jointly contracting as herein authorized, or such jointly contracting municipalities may contract in writing with any other municipality or municipalities for the privilege of connecting its or their sewers and drains with such outlet or trunk sewer or sewers so to be jointly constructed by the municipalities originally contracting for the public improvements or works hereby authorized, and it shall be lawful for such other municipality or municipalities to enter into a contract for such purpose, upon such terms and for such consideration and length of time as may be mutually agreed upon between all the contracting municipalities.

SEC. 120b. *Supervision of sewage system*.—If the public works herein provided be constructed and operated by the municipalities acting jointly, the local authorities of the contracting municipalities or districts having charge of sewage shall jointly supervise the construction and operation of such sewage system, or they may jointly engage or employ a competent sanitary engineer for such purpose. They shall jointly elect or appoint all necessary employees at the disposal plant and for the care of the trunk line sewer, and severally appoint such employees as they may be authorized so to do by the respective governing bodies to work on the system within the bounds of such municipality.

SEC. 120c. *Obligations and privileges relating to sewerage contracts*.—No contract for the construction, use or possession of any such sewer system extension or part thereof,

including any such sewers, plants, works or stations, authorized by section 120, or for the removal of sewage, or agreement to pay any annual, semiannual or quarterly sum by way of permanent rental reserved therefor, shall be deemed to create an indebtedness of such city, town or village under any act limiting the amount of such indebtedness, unless and to the extent that such municipality or municipalities shall covenant to pay for such system, extension or part thereof, including any such sewers, works, plants or stations under any right reserved in such contract or otherwise. Such system, extension or part thereof shall, when accepted under such contract, and such works, plants or stations, may if so provided therein, pass into the use, possession, management and control of such municipality or municipalities, and it or they shall, by proper provision in the said contract, subject such contract to its or their right at any time to terminate all its or their liability under the same for such rental by paying for such system, extension or part thereof a price named therein or to be determined in accordance with the provisions thereof, and it or they may by proper provision in such contract, covenant to terminate its or their liability in such manner at a time or within a period named therein, but the sum or rental to be paid for such use and possession or the price which must be paid for such system, extension or part thereof in order to terminate the liability of such municipality or municipalities under such contract, shall not be fixed by said contract beyond a period of 30 years, after which and at any time thereafter, if such municipality or municipalities shall not have terminated its or their liability under said contract, the sum or rental to be paid for the continued use and possession of such system, extension or part thereof or the price at which the same must be paid for in order to terminate such liability, which sum or rental and which price shall be based on the value of such system, extension or part thereof at any such time, shall be fixed by agreement, or in the absence of agreement by application to a competent court and under its order, but each such agreement or order shall be limited to a period not exceeding 10 years. And such local authorities may also at any time contract for the maintenance and operation of any such system, extension or part thereof, including any such works, plants or stations or of any sewerage or sewage disposal system or part thereof owned or used by any such municipality or municipalities.

SEC. 120d. *Officers of meeting.*—In order to facilitate business procedure, the local authorities of the several municipalities or districts meeting jointly for the purposes herein provided shall, at a meeting at which all the municipalities and districts intending to act jointly are represented, choose from among their number a chairman, who shall act as such until his successor is chosen in a similar manner. Such meeting, when organized, shall elect a secretary who may or may not be a member of one of the local boards meeting jointly.

SEC. 120e. *By whom proposed district represented.*—Until a sewer district of a town is organized as provided by the town law, the supervisor, or a member of the town board appointed by the supervisor, of the town in which the proposed sewer district is located, may act for and on behalf of the people of the territory proposed to be embraced in a sewer district, when requested so to do by a petition in writing signed by not less than 5 per centum of the voters of such proposed district, at such joint meeting of municipalities and districts: *Provided, however,* That neither the town nor any property within the town, except such property as may be within such proposed district, shall be chargeable with any debt or expenses created by such municipalities or districts acting jointly.

SEC. 120f. *Contract; how executed.*—No municipality or district acting jointly as herein provided shall be bound by any contract or agreement unless such contract or agreement be signed and executed by a majority of the local authorities of such municipality having care of sewerage in such municipality or district.

SEC. 120g. *Apportionment of cost.*—Before any such contract for construction mentioned in section 120c shall become effective, such local authorities shall determine the part or proportion of the annual cost thereof, if any, which is to be assessed upon the property benefited thereby, and the method of such assessment, and shall provide that any part thereof not actually paid out of such assessment shall be paid out of the general funds to be raised by a tax in such city, town, village or sewer district. In the case of a town, the petition for the creation of such sewer district, or supplemental petition, shall request the construction of such sewer system, extension or part thereof, as herein provided, and such petition shall comply in form, substance and in the manner of execution, so far as applicable thereto, to the requirements of section 230 of the town law, except that it may state that the annual sum or rental to be paid for the use of said plant or for the removal of sewage as herein provided shall be fixed and assessed in the first instance for the full period named in any such contract, not exceeding 30 years, and that any part thereof not actually paid out of such assessment may be reassessed upon the property in such district. Before acting on any such petition, the town board shall give the notice provided in section 230a of the town law, and the assessment shall be made in form and substance so far as applicable thereto as provided in section 237 of said law.

SEC. 120h. *Further provisions as to apportionment of cost.*—Each of the contracting municipalities or districts shall pay its just and proportionate share for the public improvement authorized by this act and the general laws, including its just and proportionate share of the cost for the removal of sewage and of maintenance and carrying charges of the system. The manner of arriving at the share each local government shall bear and the method of payment thereof as hereinafter provided shall be determined by its local board or commissioners having charge of sewage, before such contract for construction or for sewerage removal becomes effective, as hereinafter provided.

SEC. 120i. *Bond issues and assessments.*—The indebtedness created for such public works may be paid by each contracting municipality, including a sewer district of a town, wholly by a bond issue; or partly by a bond issue, and partly by assessment on the property deemed specially benefited by such improvement and partly by money raised by general taxation; or partly by a bond issue and partly by assessment on the property deemed specially benefited by such improvement. In the case of a sewer district of a town the petition for the creation thereof or a supplemental petition may state the means of payment as above provided and the assessment therein shall be made in form and substance so far as applicable as provided in section 237 of said law, except that such sewer commissioner shall assess a part of the district's proportionate share of the total cost of such system on the lands within such district, or extension of an existing district in proportion, as nearly as may be, to the benefit which each lot or parcel will derive therefrom. Such sewer commissioners shall determine the amount to be raised by general taxation for such expense and the amount to be raised by bond, if any.

SEC. 120j. *Notes in anticipation of assessments.*—For the purpose of defraying the costs and expenses of such public improvement as is authorized hereby in respect of which an assessment for benefits may be made on lands and real estate situated in any such contracting municipality, the governing body or board having charge of the finances of any such contracting municipality may, if necessary, borrow money and secure the payment of the same by the notes or other temporary obligations of such municipality; these notes and obligations may be renewed from time to time until such improvement or works be completed or the assessment for benefits confirmed; when so confirmed the said governing body or board of such municipality shall provide the cost and expenses of such improvements in the manner herein or in general laws provided.

SEC. 120k. *Payments; how made.*—It shall be lawful for the governing body or board having control of the finances of such contracting municipality, in lieu of issuing the bonds of such municipality, to pay its proportion of the costs and expenses of any improvements jointly contracted for and made under this act, with money to be raised by taxation, after the making of the public improvements herein authorized have been determined upon and a joint contract made and entered into pursuant to the provisions of this act, or by paying the whole or part of such indebtedness out of all moneys belonging to such contracting municipality not otherwise appropriated or required.

SEC. 120l. *Letting of contracts.*—Whenever any work to be performed or materials to be furnished in or about any improvement to be made by two or more municipalities under the provisions of this act shall involve an expenditure of any sum of money exceeding \$500, the municipal bodies or boards of the contracting municipalities, by their official action taken in joint meeting as herein provided, shall designate a time when they will meet at their usual place of meeting to receive proposals, in writing, for doing the work or furnishing the materials, and such joint meeting shall order the chairman and secretary thereof to give notice, by advertisement inserted in one or more newspapers published or circulating in the municipalities jointly contracting, at least two weeks before the time of such meeting, of the work to be done or materials to be furnished, of which at the time of such order they shall cause to be filed in the office of such joint meeting particular specifications; all proposals received shall be publicly opened by such chairman in the presence and during a session of such joint meeting, and of all others who choose to attend the said meeting; not more than one proposal shall be received from any one person, directly or indirectly, for the same contract work or materials; and the said joint meeting may reject any and all of said proposals and direct its chairman and secretary to advertise for new proposals and accept such as shall in the opinion of a majority of the municipalities represented in said joint meeting be deemed most advantageous for the said municipalities, subject, however, to the reservations herein provided; the board may require a bond or deposit from the person submitting a proposal, the liability of such bond to accrue, or such deposit to be forfeited to the municipality, or municipalities, in case such person shall refuse to enter into a contract in accordance to his proposal. The proposal so accepted shall be reduced to a contract in writing, and a satisfactory bond to be approved by such joint meeting shall be required and given for its faithful performance, but all contracts when awarded shall be awarded to the lowest responsible bidder offering satisfactory security; this section shall not apply to any engineer or agent of the joint contracting municipalities engaged in supervising or directing the work of such improvements.

SEC. 120m. *Application of other laws to procedure.*—Except where inconsistent with this act, or otherwise permitted hereunder the apportionment of local assessments and the manner of payment of the expense of construction of such public works shall be as provided in the town law, the village law, the general cities law, or in the manner provided in any special city and of any contracting city.

SEC. 120n. Before taking any proceedings for the construction of any sewer or of any system of sewers or of any addition thereto or alteration thereof, such municipality or municipalities acting severally or jointly shall cause to be made a map and plan therefor, or an amendment of any map and plan previously approved, as the case may be, and shall submit the same to the State commissioner of health for his approval, and upon his approval the same shall be filed in his office. A copy of such map and plan or of any such amendment thereof shall also be filed in the office of the clerk of each such municipality. Any such map and plan shall include specifications of dimensions, connections and outlets or [of?] sewage disposal works and may also include any existing sewer which it shall be found feasible and proper to incorporate or include in the proposed system. No work of any kind shall be done on or for the

construction, extension, reconstruction, removal or modification of any system of sewers or of any sewer thereof until a map and plan covering the entire system shall first have been duly approved and filed as above provided, and in the execution of the construction, extension, reconstruction, removal or modification of any system of sewers or of any sewer thereof no deviations from the plans as finally approved and filed shall be made until plans or descriptions adequately showing such deviations are first approved and filed as above provided. The State commissioner of health, in approving said map and plan or by a certificate supplementing any such approval, may authorize such municipality or municipalities to temporarily omit or defer the construction of any portion of any such sewer or system of sewers. A copy or copies of his approval or of any such supplemental certificate shall be certified to each such municipality and filed in the office of the clerk thereof.

SEC. 120c. *Definitions.*—The words "joint meeting" as used in this act shall be construed to mean the meeting or assembly of the members of the governing bodies or boards of the several municipalities having authority to make and enter into a contract for the construction jointly of public improvements, pursuant to and by virtue of the provisions of this act.

SEC. 120p. *Referendum in cities and villages.*—In any such city or village, whether acting severally or jointly, a copy of such contract, for construction mentioned in section 120c, with a copy of the determination required in section 120g, shall be published at least twice in one or more newspapers published therein, including the official newspaper or newspapers, if any, of such city or village, or posted in not less than five public places, and published at least twice in a newspaper circulating in such municipality if no newspaper is published therein. If, within 15 days after the publication or posting of such contract and determination, a protest or protests against such contract shall be filed in the office of the clerk of such city or village signed either by not less than one-third of the governing body adopting such resolution or by a 3 per centum in number of the taxpayers thereof whose names appear on the last preceding assessment roll of real property, excluding special franchises, then such contract shall not become effective unless the governing body shall by a further resolution provide for the submission to the taxpaying voters of a proposition to ratify such contract, nor unless, within 60 days after such publication or posting such proposition shall be adopted at a general election or at a special election to be called and held for that purpose, by a majority of the voters voting on such proposition. At any such election only voters entitled to vote for an officer and women qualified to vote for an officer except as to sex, owning real property other than special franchises assessed in their names upon the last preceding assessment roll of such city or village, shall be entitled to vote upon such proposition. At least 10 days' notice of any election under this section shall be given by the clerk of the city or village by publication at least twice in one or more newspapers, including the official newspaper or newspapers, if any, of such city or village, or by posting in at least five public places, if no newspaper is published therein. Such election may be held and the result canvassed and certified as may be required by any general or special law applicable to an election upon a proposition in any such city or village, or in the absence of any such law as may be prescribed by any general ordinance. The voting shall be by ballot, prepared in the form prescribed by the election law. The facts as to the filing and sufficiency of any protests under this section, and as to the calling, holding or result of any election which may be required or held under this section or under any other statute with respect to the authorization of any such improvement or the ratification of any ordinance authorizing the same, and all facts affecting the validity of any contract mentioned in section 120c, including the organizations or acts of any town or sewer district shall, for the purpose of this section, be conclusively determined by a resolution of the governing body

of any such city, town or village. A copy of such resolution shall be published twice in one or more newspapers, including the official newspaper or newspapers, if any, of such city, town or village, or posted in not less than five public places if no newspaper is published therein, and the facts therein stated shall not be disputed in any action commenced after the expiration of 10 days after such publication or posting involving the validity of such contract, or of any tax, assessment or other charge to meet any payment thereunder, and such contract shall be conclusively deemed to be valid unless entered into in violation of this section, section 120, or section 120c of this chapter.

SEC. 120q. Rules and regulations.—Such person, persons or corporation operating and maintaining such system or contracting for the removal of sewage as herein provided shall be subject to such rules, ordinances and regulations as said municipalities may establish, not inconsistent with any contract made therefor:

SEC. 120r. In the event of such person, persons or corporation failing and neglecting to keep said system of sewage in a good healthy and effective condition after due notice in writing of not less than 60 days, from any municipality using the same, their rights, of such person, persons or corporation, guaranteed under such contract may be canceled by such municipality, except that such municipality or municipalities shall pay the fair and reasonable value of such sewerage system as provided in such lease or contract. This section shall not apply if such system is under the management and control of one or more of such contracting municipalities.

SEC. 120s. The joint meeting representing any two or more of such municipalities, as aforesaid, shall have power with their consent and on their behalf and by its own proper officers to enter into any contract and to acquire, by purchase or condemnation, and to hold, maintain and operate any property, necessary or desirable for any of the purposes authorized as aforesaid, as fully and to the same extent as any municipality acting severally.

Sewer Districts in Villages—Connections with Sewer. (Ch. 587, Act May 21, 1917.)

SECTION 1. Section 326 of chapter 64 of the laws of 1909, entitled "An act relating to villages, constituting chapter 64 of the consolidated laws," as added by chapter 305 of the laws of 1915, is hereby repealed and a new section is hereby inserted, to be section 326, and to read as follows:

SEC. 326. Sewer districts.—(1) In every such village any sewer district created or organized under the provisions of the town law shall continue, and the board of trustees shall be and they are hereby vested with the management and control thereof, and of the sewer systems constructed or to be constructed therein, and of the assessment of the costs and expenses thereof, which such sewer districts shall be managed, and the costs and expenses thereof shall be assessed as herein provided.

(2) In case a system of sewers to serve the said district shall have been authorized as provided in the town law and maps and plans therefor shall have been approved by the State department of health and by the conservation commission, the board of trustees may construct and complete the sewers so authorized and may make extensions thereof and may modify and change the plans thereof, by resolution at any regular or at any special meeting called for the purpose: *Provided*, Notice that the board of trustees will act upon the question of authorizing the construction of specified portions of such sewer system, or specified extensions thereof, or upon specified modifications thereof, at a time and place to be stated therein, shall have been posted in at least five public places in the said sewer district and shall have been published in the official paper, or if there be no official paper, in such newspaper published in the county as the board of trustees may select, at least 10 days before such meeting.

(3) In case additional construction under the provisions of the preceding subdivision hereof shall be so authorized, the board of trustees shall estimate the cost thereof and may issue the bonds or other obligations of the village to the amount thereof, which bonds or other obligations shall be a village charge. Said bonds or other obligations shall be payable within 30 years in annual instalments, commencing not more than 5 years from the date thereof, shall bear interest at a rate not exceeding 5 per centum per annum, and shall be sold on public notice in the manner prescribed by section 129 of the village law. Any moneys advanced from the general fund of such village for the payment of the principal and interest of said bonds or other obligations shall be reimbursed from the assessments hereinafter provided.

(4) In case the board of trustees shall authorize the construction of any such extension or extensions to the sewer system, which have not been approved by the State board of health and by the conservation commission, or in case the board of trustees shall modify or change the plans for the construction and completion of the said sewer system or any portion thereof or of any such extensions which have theretofore been approved by the State board of health and by the conservation commission, maps and plans of such extension or extensions and of the portions of the system so modified or changed, prepared by a competent engineer under the authority and direction of the board of trustees, shall be approved by the State board of health and the conservation commission as required by law before the same shall be constructed.

(5) The board of trustees shall advertise for proposals for the construction of such extension or extensions according to such maps and plans either under an entire contract or in parts, or sections, as the board may determine, and such advertisement shall be published once in each of two successive weeks in the official paper, or if there be no official paper then in such newspaper published in the county as the trustees may select. The board of trustees may accept or reject any or all proposals and shall let the contract to the lowest responsible bidder. The board of trustees may require bidders to give a bond or other security to be forfeited to the village in case the bidder to whom the award is made shall refuse or neglect to enter into the required contract, and may require the successful bidder to give a bond or other security in an amount to be fixed by the board of trustees conditioned upon the faithful performance of the contract. Such contracts shall be executed in the name of the village in duplicate and one copy thereof shall be filed in the office of the village clerk.

(6) The board of trustees may employ engineers, and such inspectors as may be necessary, to prepare maps, plans, specifications and estimates, and to supervise the construction, and may fix their compensation which, together with the cost of preparing the maps, plans and specifications, and the cost of the necessary real property or interest therein, shall be treated as a part of the expense of construction.

(7) If the board of trustees are unable to agree with the owners for the purchase of any real property or any interest therein necessary for the construction of the said sewer system or of any extension or extensions thereto they may acquire the same by condemnation, in the name of the village.

(8) The board of trustees during the first month of the fiscal year shall determine by resolution the amount of money required to pay the principal and interest of all outstanding bonds issued to pay the cost of constructing the sewer system, and the extensions thereto, maturing during such fiscal year, and the cost of maintaining and operating the same, and all other lawful charges against the said sewer system during such year, and shall on or before the first Tuesday of the fourth month of the fiscal year, if a village of the first or second class, and on or before the first Tuesday of the third month of the fiscal year, if a village of the third or fourth class, assess the amount thereof, from year to year, upon the lands within the sewer district in proportion as nearly as may be to the benefit which each lot or parcel shall derive therefrom, and shall enter such assessments in a book suitable for the purpose, which shall show the

section, block and lot number, or other suitable description of each piece or parcel of land in the said sewer district, with the amount assessed against each such piece or parcel of land respectively. Thereafter the provisions of the village law relating to the filing, correction, completion and review of the village assessment roll, and relating to the levy, collection and lien of village taxes shall apply to the filing, correction, completion and review of such sewer assessment and to the levy, collection and lien thereof, as nearly as may be, except that the powers and duties of the assessors with respect thereto shall devolve upon and be performed by the board of trustees.

(9) In case there be an unexpended balance remaining after the completion of any contract or contracts for the construction of any such sewer system or of any extension or extensions thereto the board of trustees shall, by resolution, use the same or any part thereof for the payment of the cost of constructing extensions to such sewer system in said district or for the purpose of retiring outstanding bonds issued to pay for the construction of such sewer system or extensions thereto.

(10) The board of trustees shall adopt rules and regulations to govern the maintenance and use of the sewer system and shall therein fix the amount of fees that shall be chargeable to individuals or property owners who may wish to enter or use the sewer system, which fee shall be sufficient in amount to pay for the cost of inspection, and may prescribe the terms and conditions upon which connections may be made therewith, and the manner in which the same shall be made, and may provide reasonable penalties for the violation of such rules and regulations to be collected at the suit of the village for the use of the sewer district.

(11) The board of trustees may cause a notice to be published in the official paper and posted in at least 10 conspicuous public places in the district, requiring the owners or occupants of all property fronting or abutting on any street or portion thereof in the town in which any public sewer is about to be laid or is being laid or has been laid to make and lay connection pipes to and from the sewer mains in such street or any portion thereof in front of each separate piece of property, within such times and in such manner and under such inspection as such board shall prescribe; and whenever any such owner or occupant shall have made default in making such connection is directed in and required by such printed notice therefor, in the manner and within the time specified, such board shall have power and authority to make, extend and complete the same to the property line of the lands and premises so owned or occupied opposite thereto and in front thereof, and to connect the same with any existing pipe in front thereof, and the actual expense thereof, including all labor done and materials used in doing and completing the same, shall be assessed by the board upon each separate piece of property opposite which the same shall be done and completed. Such assessments shall be made and may be collected in the manner specified in section 168 of the village law, and when collected shall be for the use of the sewer district. Such assessments shall be deemed to be assessments for sewers within the meaning of section 113 of the village law.

(12) In every such sewer district it shall be the duty of the owners, or if the owner be a nonresident of the district, of the occupants, of premises which can be connected with any portion of the sewer system at any time constructed, and which premises are occupied or used for residential, business, or other purposes in which sewage matter originates, to connect such premises with the said sewer system under the rules and regulations adopted by the board of trustees relating thereto, and in case such owner, or occupants, shall fail or neglect to make and complete such connections within 30 days from the personal service upon him of a certified copy of a resolution of the board of trustees requiring such connection or connections to be made he shall be liable to a fine not exceeding \$50 in amount and shall, in addition thereto, be liable to a fine not exceeding \$10 in amount for each day during which such default shall continue after the expiration of such period of 30 days, to be collected at the

suit of the village for the use of the sewer district. In case the cost of such connection shall be paid by the occupant he may recover the same from the owner or may deduct the same from any sums due or to become due from him to such owner.

(13) Nothing herein shall prevent the construction of extensions to such sewer system in accordance with the provisions of article 11 of the village law.

Garbage and Refuse—Collection and Disposal in Towns. (Ch. 55, Act Mar. 15, 1917.)

SECTION 1. Section 320 of chapter 63 of the laws of 1909, entitled "An act relating to towns, constituting chapter 62 of the consolidated laws," is hereby amended to read as follows:

SEC. 320. *Collection and disposition of garbage.*—Within any town having over 5,000 inhabitants or within any town adjoining a city of the first class, or within any district in any such town established by the town board of such town, it shall be lawful for the town board of such town to provide for the collection of and to cause to be consumed by fire or heat, and to prohibit the throwing, casting or deposit in any body or stream of water, or upon any ash heap or other place than such as may be provided by them within such town or district, any animal or vegetable refuse, dead animal, carrion, offal, swill or garbage. And it shall be lawful for the town board of any such town, to contract for the collection and for the consumption by heat or fire of any such refuse or other aforesaid matter, or for the purchase, maintenance and operation of any appliances for the collection and consumption thereof.

Garbage, Refuse, and Ashes—Collection and Disposal in Villages. (Ch. 27, Act Mar. 1, 1917.)

SECTION 1. Subdivision 25 of section 89 of chapter 64 of the laws of 1909, entitled "An act relating to villages, constituting chapter 64 of the consolidated laws," as amended by chapter 114 of the laws of 1916, is hereby amended to read as follows:

[The board of trustees of a village:]

25. *Disposition of garbage and ashes.*—(a) May provide for the removal from the buildings in said village and for the disposition of swill, garbage, ashes and rubbish of said buildings, or for the removal and disposition of the swill and garbage alone, or the ashes alone, either directly through the employees of said village or by contracting with other persons: *Provided, however,* That authority shall be first obtained therefor by a proposition adopted at a village election, which proposition shall state the maximum amount to be expended for such purpose or purposes in any one year.

(b) Upon the adoption of a proposition therefor at a village election, may establish or construct a plant for the disposal of swill, garbage, rubbish and ashes, or any of them, and may purchase or lease real property therefor and vehicles or other appurtenances to be used in connection therewith. Such proposition shall state the estimated maximum and minimum cost thereof. Upon the acquisition of such plant, may, without the adoption of any proposition as to the amount to be expended therefor in any one year, operate the same and collect and dispose of swill, garbage and rubbish, either directly through the employees of said village or by contracting with other persons for a period not exceeding 5 years.

SEC. 2. Section 128 of such chapter, as amended by chapter 4 of the laws of 1910 and chapters 57 and 738 of the laws of 1911, is hereby amended by adding thereto a new subdivision, to be subdivision 14, to read as follows:

[If authorized by an election, money may be borrowed by a village upon its bonds or other obligations, payable in future fiscal years, for the purpose of purchasing, constructing and maintaining the following village improvements:]

14. Plants for the disposal of swill, garbage, ashes and rubbish, or any of them, or vehicles with other appurtenances to be used in connection therewith.

Children's Boarding Houses—License—Inspection. (Reg. Public Health Council, Jan. 9, 1917.)

CHAP. 8. REGULATION 1. No license shall be issued by the board of health of any city or town under the provisions of section 482 of the penal law to any person to receive, board or keep any nursing children or any children under the age of 12 years not his relatives, apprentices, pupils or wards, without legal commitment, unless the health officer or person performing the duties of health officer of such city or town shall have made an inspection of the premises proposed to be occupied by such children, and shall have filed a written report thereon with the local board of health. Such inspection shall include an examination of each room proposed to be occupied by such child or children, and of the sanitary condition of the premises.

REG. 2. No license shall be issued to any person to receive, board or keep any child or children unless each such child shall sleep in a room having one or more windows opening into the outer air. Provision must be made for the free entrance of fresh air into every such sleeping room and every such room shall be aired at least once in each 24 hours.

REG. 3. Every such license issued by the board of health of any city or town shall be on a form to be prescribed by the State commissioner of health. Every such license shall expire on the thirty-first day of May after its issue, and may be renewed after a reinspection of the premises by the local health officer and a written report thereon to the local board of health. Any such license may be revoked at any time by the State commissioner of health or by the board of health issuing the same.

Midwives—Qualifications Necessary to Secure a License. (Reg. Public Health Council, Dec. 18, 1917.)

Regulation 5¹⁷ of chapter 4 of the sanitary code of the State of New York is hereby amended to read as follows:

REG. 5. *Qualifications required of applicant for license on and after the first day of January, 1915.*—On and after the 1st day of January, 1915, every applicant for a license to practice midwifery must possess the following qualifications:

- (a) Be not less than 21 years of age;
- (b) Be able to read and write: *Provided*, That in cases of persons of foreign birth who have extended experience or in other exceptional circumstances this requirement may be waived by the public health council;
- (c) Be clean and constantly show evidence, in general appearance, of habits of cleanliness;
- (d) Either—
 - (1) possess a diploma from a recognized school for midwives; or
 - (2) have attended, under the instruction of a duly licensed and registered physician, not less than 15 cases of labor and have had the care of at least 15 mothers and newborn infants during lying-in periods of at least 10 days each, and shall present a written statement from said physician or physicians that she has received such instruction in said fifteen cases with the name, date and address of each case, and that she is reasonably skillful and competent; or
 - (3) present other evidence satisfactory to the State commissioner of health of her qualifications, and
- (e) Present evidence satisfactory to the State commissioner of health of good moral character, vouched for by at least two reputable citizens.

¹⁷ Pub. Health Repts. Reprint 279, p. 123.

Nuisances—Maintenance by Corporations of Nuisances Outside of State Affecting People in State—Forfeiture of Charter or Revocation of Certificate of Authority. (Ch. 292, Act May 1, 1917.)

SECTION 1. Chapter 28 of the laws of 1909, entitled "An act relating to corporations generally, constituting chapter 23 of the consolidated laws," is hereby amended by inserting therein a new article, to be article 9a, to read as follows:

ARTICLE 9a.

FORFEITURE OF CHARTER OR REVOCATION OF CERTIFICATE OF AUTHORITY, FOR MAINTAINING A NUISANCE.

SEC. 200. *Forfeiture of charter or revocation of certificate of authority of corporations maintaining nuisances generated in another State.*—Any corporation organized under the laws of this or any other State which shall so conduct its business, without the State, by the emission or discharge of dust, smoke, gas, steam or offensive, noisome or noxious odors or fumes, so as to unreasonably injure or endanger the health or safety in this State of any considerable number of the people of this State, shall be deemed guilty of a nuisance and the charter of such corporation, if incorporated by or under any law of this State shall be deemed forfeited in the manner prescribed in this section, or its certificate of authority to do business in this State, if incorporated or formed under the laws of any other State, shall be deemed revoked and annulled in the manner prescribed in this section, and in either case shall not be revived, except as prescribed in the next section. Complaints may be made to the State commissioner of health by any person, association or corporation aggrieved, by petition or complaint in writing setting forth any act or thing done or omitted to be done claimed to constitute a nuisance within the provisions of this section. Upon the presentation of such a complaint, the State commissioner of health shall cause a copy thereof to be served upon the corporation complained of, in the manner provided by law for the service of a summons, accompanied by a notice, directed to such corporation, requiring that the matters complained of be abated, or that the charges be answered in writing within a time to be specified by such commissioner. If the charges contained in such complaint be not thus satisfied and it shall appear to such commissioner of health that there are reasonable grounds therefor, he shall cause such charges to be investigated in such manner and by such means as he shall deem proper and fix a time for a hearing upon such complaint and cause notice thereof to be forwarded to the complainant and the corporation complained of. If the State commissioner of health, or his successor, after such notice to such corporation, and an opportunity for a hearing being given to it, shall find that such corporation is so conducting its business, without the State, as to unreasonably injure or endanger the health or safety in this State of any considerable number of people of this State, he shall file such findings in duplicate in the offices of the secretary of state and the attorney general. A certificate of the secretary of state giving notice of the filing of such findings shall be served upon the corporation, or upon the designated agent of a foreign corporation authorized to do business in this State, and thereupon the charter of such corporation if incorporated by or under any law of this State, or its certificate of authority to do business in this State, if incorporated or formed under the laws of any other State, shall be suspended for the period of 30 days.

Any person who shall exercise or attempt to exercise any powers under the charter of any corporation or by virtue of a certificate of authority which has been so suspended, during the period of such suspension, shall be guilty of a misdemeanor. If at the expiration of such period the State commissioner of health upon further proof and opportunity to such offending corporation to be heard shall find and determine

that such corporation continues to conduct its business so as to constitute such nuisance, he shall cause a notice of such determination to be served upon the corporation, or upon the designated agent of a foreign corporation authorized to do business in this State, and published once a week for two successive weeks in the official State paper. On the tenth day after such service and publication the charter of such corporation, if incorporated by or under any law of this State, shall be deemed forfeited or its certificate of authority to do business in this State, if incorporated or formed under the laws of any other State, shall be deemed to be revoked and canceled. Any person who shall exercise or attempt to exercise any powers under the charter of any corporation which has been so forfeited or by virtue of a certificate of authority which has been so revoked, shall be guilty of a misdemeanor. If, pursuant to this section, the charter of a domestic corporation be forfeited, the attorney general shall forthwith apply to the supreme court for the appointment of a receiver of its property, who shall have all the powers and duties, so far as practicable, prescribed by articles 10a and 11 of the general corporation law.

SEC. 201. *Reinstatement.*—When any corporation has ceased to perform the acts or maintain the nuisance by reason of which its charter has been forfeited or its certificate of authority revoked, and shall satisfactorily guarantee that it will not perform such acts or maintain such nuisance in the future, the charter or certificate of authority of such corporation may be revived in the manner prescribed in this section with the same force and effect as if such charter had not been forfeited or such certificate revoked. If such corporation shall file a petition in writing with the State commissioner of health setting forth that the nuisance in fact no longer exists, and it shall appear that there are reasonable grounds therefor, such commissioner of health shall cause an investigation to be made in such manner and by such means as he shall deem proper, and if after such investigation he shall find and certify that such corporation has ceased to conduct its business so as to constitute such nuisance, and shall file such findings in duplicate in the offices of the secretary of state and attorney general, the charter or certificate of authority of such corporation shall be deemed to be revived with full force and effect. A supplemental certificate of the secretary of state shall be served and published in like manner, and upon such service and publication, such revival shall become effective. Such revival shall not, however, prevent a subsequent forfeiture or revocation of the charter or certificate of the same corporation for the same or similar offense. This article shall not be deemed to apply to a corporation organized and existing under the laws of the State of New York and subject to the jurisdiction of the public service commission under the public service commissions law or principally engaged in furnishing power to such public service corporation.

SEC. 202. *Application of article.*—This article shall not apply to corporations operating railroad or steamboat lines.

Factories—Toilets. (Ch. 693, Act May 31, 1917.)

SECTION 1. Subdivision 3 of section 88a of chapter 36 of the laws of 1909, entitled "An act relating to labor, constituting chapter 31 of the consolidated laws," as added by chapter 340 of the laws of 1913, is hereby amended to read as follows:

3. The use of any form of trough water-closet, latrine or school sink, other than those types specified in the rules of the State industrial commission, within any factory is prohibited. All such trough water-closets, latrines or school sinks which do not conform to the specifications set forth in the rules of the State industrial commission shall, before the 1st of October, 1914, be completely removed and the place where they were located properly disinfected under the direction of the department of labor. Such appliances shall be replaced by proper individual water-closets, or by trough water-closets conforming to the rules of the State industrial commission,

placed in water-closet compartments, all of which shall be constructed and installed in accordance with the rules and regulations to be adopted by the State industrial commission.

Cantonment Health Zones—Establishment—Sale of Food and Drink. (Reg. Public Health Council, Oct. 30, 1917.)

Chapter 7 of the sanitary code of the State of New York is hereby amended by adding thereto four new regulations, to be known as regulations 10, 11, 12, and 13, and to read as follows:

REG. 10. *Declaration of cantonment zones.*—The State commissioner of health may from time to time declare such territory as he deems necessary in the neighborhood of a military or naval camp or cantonment a health zone, and he may from time to time change the limits of or abolish such zone.

REG. 11. *Permits required to sell food and beverages in all health zones.*—Whenever the State commissioner of health has declared any territory to be a health zone, as provided for in regulation 10 of this chapter, thereafter and so long as such declaration remains in effect no person shall establish or maintain any place for the sale of food or drink intended for human consumption, unless such person shall first have secured from the health officer, in whose jurisdiction the place is situated, a written permit so to do. Such permit shall not be issued unless, after an inspection, the health officer has satisfied himself that the place is maintained under sanitary conditions. Such permit, unless revoked, shall be granted for one year from the date of its issuance and shall be conspicuously displayed in the place for which it was issued. Such permits are not transferable.

REG. 12. *Monthly inspections by health officers.*—All places for which such permits are issued shall be inspected at least once in each month by the health officer.

REG. 13. *Revocation of permit.*—Any permit so issued may be revoked for cause either by the local health officer or the State commissioner of health, after giving the person holding the permit an opportunity for a hearing.

NORTH CAROLINA.

Communicable Diseases—Notification of Cases—Appointment, Duties, and Salaries of County Quarantine Officers—State Board of Health Regulations. (Ch. 263, Act Mar. 7, 1917.)

SECTION 1. On the second Tuesday of July, 1917, all county quarantine officers and all county health officers to whom the duties of county quarantine officer have been assigned, as provided for in chapter 62, laws of 1911, as amended by chapter 181,¹ laws of 1913, shall appear before the clerk of the superior court in their respective counties and make official oath or affirmation to faithfully enforce this act and its provisions: *Provided*, That in those counties where a county board of health fails or neglects to elect a county quarantine officer on or before the second Tuesday of July, 1917, the secretary of the North Carolina State Board of Health shall appoint a quarantine officer for the said county: *Provided further*, That on refusal or neglect of any quarantine officer, or county health officer acting as quarantine officer to make, within a period of 10 days of the time named in this section of this act, the aforesaid official oath or affirmation to enforce this act and its provisions, the secretary of the North Carolina State Board of Health is hereby empowered to remove said quarantine or county health officer and to appoint a quarantine officer to enforce this act and its provisions, and on the said appointee all the powers, privileges, and compensation provided for herein for the county quarantine officer are hereby conferred.

SEC. 2. The official term of service of a county quarantine officer, including those now serving, except in those counties where there is a county health officer, shall expire on the first Monday in January of the fourth year from the year of their appointment or election. In those counties having a county health officer who makes official oath or affirmation to enforce this act and its provisions, the office of county quarantine officer shall be coterminous with the office of the said county health officer. The county board of health shall elect a successor to the county quarantine officer, or the county health officer acting as county quarantine officer, on or before the expiration of the term of service of said officer as herein defined: *Provided*, That in case of disqualification for continuance in office of the county quarantine officer, or the county health officer acting as county quarantine officer, by resignation, death, or other disqualification, the county board of health shall, within five days thereafter, elect a county health officer or county quarantine officer to fill out the unexpired term of service: *Provided further*, That in case of the failure of the county board of health to so elect a successor to complete an unexpired term of service of a quarantine officer, or a county health officer acting as county quarantine officer, who has become disqualified for continuance in office, the secretary of the North Carolina State Board of Health shall immediately appoint a county quarantine officer who shall make official oath or affirmation to enforce this act and its provisions.

SEC. 3. The county board of health in electing a county quarantine officer shall promptly notify, in writing, the secretary of the North Carolina State Board of Health of such action, and failure to so notify the said secretary shall nullify the election of the county quarantine officer. The county quarantine officer, or the county health officer acting as quarantine officer, shall promptly notify the secretary of the North Carolina State Board of Health, in writing, inclosing certified copy of the oath or

¹ Pub Health Repts. Reprint 264, p. 337.

affirmation of office taken, of his having taken the oath or affirmation of office, and failure to do so shall be construed as failure to have taken the official oath or affirmation of office.

SEC. 4. Any county quarantine officer, or county health officer acting as county quarantine officer, who fails or refuses to enforce this act or its provisions in his county shall be guilty of a misdemeanor, and on conviction fined not exceeding \$50, and may, if the secretary of the North Carolina State Board of Health so decide, be disqualified for continuance in office.

SEC. 5. This act shall not apply to incorporated towns and cities of this State having a population, according to the last decennial census, of 10,000 or over; and this act shall not apply to those counties the sanitary administration of which is directed by a joint board of health presiding over both the county and a town or city having a population, according to the last Federal decennial census, of 10,000 or more: *Provided, however,* That the system of quarantine in force in those cities and counties named in this section shall be approved by the North Carolina State Board of Health, and reports of the occurrence of contagious diseases in such cities and counties shall be made to the North Carolina State Board of Health as from all other cities and counties in North Carolina.

SEC. 6. For his services, the county quarantine officer shall be paid monthly, on certification from the secretary of the North Carolina State Board of Health that the said officer has performed the duties of his office in a satisfactory manner, out of the county funds by the county treasurer, or in those counties that have no county treasurer by that official who performs the usual duties of the treasurer's office. Monthly payments shall be made on a population basis, according to the last decennial Federal census, as follows:

	Per month.
Counties with a population less than 10,000.....	\$15. 00
Counties with a population of from 10,000 to 15,000.....	17. 50
Counties with a population of from 15,000 to 25,000.....	25. 00
Counties with a population of from 25,000 to 40,000.....	35. 00
Counties with a population of from 40,000 to 50,000.....	45. 00
Counties with a population over 50,000.....	50. 00

In addition to the monthly salary paid the quarantine officer, the county treasurer, or the person acting as county treasurer, shall pay to the quarantine officer all financial statements with receipted bills attached for sums paid out for postage, registration of letters, and disinfectants, the total sum not to exceed \$10 in any month nor \$100 in any one year: *Provided, however,* That the secretary of the North Carolina State Board of Health shall supply the county quarantine officer, and without cost to the county, with all forms, placards, and literature necessary for carrying out the provisions of this act: *Provided further,* That county authorities may revise their understandings with those county physicians who are acting as both physicians to county charges and as quarantine officer and whose terms of office as quarantine officer shall expire in January, 1921, unless discontinued by death, resignation, or other disqualification, on a basis of compensation adequate to the new duties herein required; but in no case shall the compensation allowed for the services required by this act of quarantine officers be less than that herein named.

SEC. 7. It shall be the duty of every physician to notify the county quarantine officer of the name, address, including the name of the school district, of any person living or residing, permanently or temporarily, in the county about whom such physician is consulted professionally and whom he has reason to suspect of being afflicted with whooping cough, measles, diphtheria, scarlet fever, smallpox, infantile paralysis, typhoid fever, typhus fever, Asiatic cholera, bubonic plague, yellow fever, or other disease declared by the North Carolina State Board of Health to be infectious and contagious, within 24 hours after obtaining reasonable evidence for believing that such person is suffering from one of the aforesaid diseases: *Provided, however,* That if

the afflicted person is a minor, the physician consulted professionally about such person shall notify the county quarantine officer of the name and address of the parent or guardian of such minor in addition to the name, address, and school district of the person about whom he is professionally consulted and whom he believes to be afflicted with one of the aforesaid diseases.

SEC. 8. It shall be the duty of every parent, guardian, or householder, in the order named, to notify the county quarantine officer of the name, address, including the name of the school district, of any person in their family or household about whom no physician has been consulted but whom they have reason to suspect of being afflicted with whooping cough, measles, diphtheria, scarlet fever, smallpox, infantile paralysis, typhoid fever, Asiatic cholera, typhus fever, bubonic plague, yellow fever, or other disease declared by the North Carolina State Board of Health to be infectious or contagious.

SEC. 9. It shall be the duty of the county quarantine officer to report all cases of whooping cough, measles, diphtheria, scarlet fever, smallpox, infantile paralysis, typhoid fever, Asiatic cholera, typhus fever, bubonic plague, yellow fever, or other disease declared by the North Carolina State Board of Health to be infectious or contagious, reported to him by physicians and parents, guardians, or householders, within 24 hours of the receipt of such report to the secretary of the North Carolina State Board of Health at Raleigh, and to make this report to the said secretary on forms supplied him by the said secretary and in accordance with the rules and regulations adopted by the North Carolina State Board of Health.

SEC. 10. The North Carolina State Board of Health shall meet some time preceding the date named herein for this act to take effect, and shall adopt what in their judgment seems to be the necessary rules and regulations governing the management, supervision, or control of the diseases coming within the meaning of this act, and shall cause the said rules and regulations to be published in the North Carolina State Board of Health Bulletin and to be supplied in suitable quantities to all concerned with the execution of this act, and the North Carolina State Board of Health shall revise the aforesaid rules and regulations from time to time to adjust their requirements to new discoveries and improved methods for dealing with the sources and modes of infection of the diseases mentioned in this act: *Provided, however,* That the rules and regulations adopted by the North Carolina State Board of Health, as provided for in this section, shall be regarded as the minimum requirements, and that the authorities of any county, town, or city may adopt such additional rules and regulations for the control of the diseases mentioned in sections 7, 8, and 9 of this act, and pay such additional fees and salaries as in the judgment of the authorities of such counties, towns, and cities seem necessary.

SEC. 11. Any person willfully violating any of the provisions of this act and any person violating any of the rules and regulations adopted by the North Carolina State Board of Health for the control of the diseases mentioned in this act, and as provided for in the preceding section, shall be guilty of a misdemeanor and fined not exceeding \$50, or imprisoned not less nor more than 30 days, at the discretion of the court. In case the offender be stricken with the disease for which he is quarantinable, he shall be subject to the penalty on recovery, unless in the opinion of the secretary of the North Carolina State Board of Health the penalty should be omitted.

SEC. 12. For the purpose of seeing that this act and the rules and regulations adopted by the North Carolina State Board of Health, provided for in this act, are faithfully executed, a bureau of epidemiology and the office of State epidemiologist is hereby created, and an appropriation of \$4,000 for the fiscal year of 1917, and thereafter an annual appropriation of \$6,000 is hereby appropriated. The aforesaid bureau and the State epidemiologist shall be under the control and supervision of the North Carolina State Board of Health.

SEC. 13. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 14. This act shall be in force from and after June 1, 1917.

Cerebrospinal Meningitis and Ophthalmia Neonatorum—Declared Communicable and Notifiable. (Reg. Bd. of H., 1917.)

Cerebrospinal meningitis.—The North Carolina State Board of Health, under chapter 263, sections 7, 8, and 9, public laws of 1917, hereby declares cerebrospinal meningitis (epidemic cerebrospinal meningitis) to be infectious and contagious, and therefore reportable.

Ophthalmia neonatorum.—The North Carolina State Board of Health, under chapter 263, sections 7, 8, and 9, public laws of 1917, hereby declares ophthalmia neonatorum to be infectious and contagious, and therefore reportable.

Ophthalmia Neonatorum—Notification of Cases—Prevention—Duties of State and Local Health Authorities—Registration of Midwives—Annual Appropriation. (Ch. 257, Act Mar. 7, 1917.)

SECTION 1. Any inflammation, swelling, or unusual redness in either one or both eyes of any infant, either apart from or together with any unnatural discharge from the eye or eyes of such infant, independent of the nature of the infection, if any, occurring any time within two weeks after the birth of such infant shall be known as "inflammation of the eyes of the new-born" (ophthalmia neonatorum).

SEC. 2. It shall be the duty of any physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital of any nature, parent, relative, and any persons attendant on or assisting in any way whatsoever any infant, or the mother of any infant at childbirth or any time within two weeks after childbirth, knowing the condition, hereinabove defined, to exist, immediately to report such fact, as the State board of health shall direct, to the local health officer of the county, city, town, village, or whatever other political division there may be within which the infant or the mother of any such infant may reside. For such services the attending physician, surgeon, obstetrician, midwife, nurse, maternity home or hospital shall receive from the State treasurer a fee of 50 cents. In the event of there being no health officer in the city, village, or town, in which the infant resides, midwives shall immediately report the condition to some qualified practitioner of medicine, and thereupon withdraw from the case, except as she may act under a physician's instructions. On receipt of such report, the health officer, or the physician notified by a midwife where no health officer exists, shall immediately give to the parents or person having charge of such infant a warning of the dangers to the eye or eyes of said infant, and shall for indigent cases provide the necessary treatment at the expense of the said county, city, village, or town.

SEC. 3. It shall be unlawful for any physician or midwife practicing midwifery in the State of North Carolina to neglect or otherwise fail to instill or have instilled, immediately upon its birth, in the eyes of the new-born babe two drops of a solution prescribed or furnished by the North Carolina State Board of Health.

SEC. 4. It shall be the duty of the local health officer:

1. To investigate or to have investigated each case as filed with him in pursuance with the law, and any other such cases as may come to his attention.
2. To report all cases of inflammation of the eyes of the new-born and the result of all such investigation as the State board of health shall direct.
3. To conform to such other rules and regulations as the State board of health shall promulgate for his further guidance.

SEC. 5. It shall be the duty of the North Carolina State Board of Health:

1. To enforce the provisions of this act.
2. To promulgate such rules and regulations as shall, under this act, be necessary for the purpose of this act, and such as the State board of health may deem necessary for the further and proper guidance of local health officers.

3. To provide for the gratuitous distribution of the scientific prophylactic for inflammation of the eyes of the new-born, as designated in section 3, together with proper directions for the use and administration thereof, to all physicians and midwives as may be engaged in the practice of obstetrics or assisting at childbirth.

4. To publish and promulgate such further advice and information concerning the dangers of inflammation of the eyes of the new-born, and the necessity for prompt and effective treatment.

5. To furnish copies of this law to all physicians and midwives as may be engaged in the practice of obstetrics or assisting at childbirth.

6. To keep a proper record of any and all cases of inflammation of the eyes of the new-born as shall be filed in the office of the State board of health in pursuance with this law and as may come to their attention in any way, and to constitute such records a part of the biennial report to the governor and the legislature.

SEC. 6. It shall be the duty of physicians, midwives, or other persons in attendance upon a case of childbirth in a maternity home, hospital, public or charitable institution, in every infant's eyes within two hours after birth, to use the prophylactic against inflammation of the eyes of the new-born specified in section 3, and to make record of the prophylactic used. It shall also be the duty of such institution to maintain such records of cases of inflammation of the eyes of the new-born as the State board of health shall direct.

SEC. 7. Whoever being a physician, surgeon, midwife, obstetrician, nurse, manager, or person in charge of a maternity home or hospital, parent, relative, or person attendant upon or assisting at the birth of any infant, violates any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof be fined in a sum not less than \$10 nor more than \$50; and, if possessed of the required amount of property, subject to suit by the parent or guardian of the child for damages resulting to the child; and if such a suit shall be brought the establishment of the fact that the physician or midwife did not place the drops in the child's eyes within two hours of its birth shall be accepted as prima facie evidence of the physician's or midwife's responsibility for the injury of the disease to the eye or eyes of the child. It shall be the duty of the prosecuting attorney to prosecute all violations of this act.

SEC. 8. All midwives who now practice midwifery in North Carolina, other than regularly registered physicians, shall register, without fee, their names and addresses with the secretary of the North Carolina State Board of Health on or before the 1st day of July, 1917, in order that the prophylactic solution and necessary instructions may be furnished them. After the aforesaid date no person, physician or midwife, shall practice midwifery in North Carolina until at least 10 days have elapsed following the registration of the name and address of the person who intends to engage in the practice of midwifery, and in this period of 10 days elapsing between the registration and beginning of the practice of midwifery by the registered person the State board of health shall furnish the necessary directions and solution to the physician or midwife for compliance with this act.

SEC. 9. Any physician or midwife failing to register their names and addresses with the North Carolina State Board of Health as required in section 8 of this act shall be guilty of a misdemeanor and subject to a fine of from \$10 to \$50.

SEC. 10. The sum of \$3,000 shall be annually appropriated for the use of the State board of health in enforcing and carrying out the provisions of this act. Any and all necessary and legitimate expenses that may be incurred in prosecuting a case under this act shall, on proper showing, be met by the State board of health out of this appropriation. In addition thereto, all fines and penalties recovered hereunder shall be paid into the State treasury and shall constitute a special fund for the use and purposes of the State board of health as herein enacted.

SEC. 11. Every health officer shall furnish a copy of this act to each person who is known to him to act as midwife or nurse in the county, city, or town for which such health officer is appointed, and the secretary of state shall cause a sufficient number of copies of this act to be printed and supply the same to the health officer of the county, city, or town, and the State board of health, on application.

Communicable Diseases—Duties of County Quarantine Officers. (Reg. Bd. of H., 1917.)

Whooping cough, measles, diphtheria, scarlet fever, and poliomyelitis (infantile paralysis), cerebrospinal meningitis (epidemic meningitis).—RULE 1. The county quarantine officer, within 12 hours after receiving notice of the existence of a case of whooping cough, measles, diphtheria, scarlet fever, cerebrospinal meningitis (epidemic meningitis), or poliomyelitis (infantile paralysis) in any village or town having a population of 1,000 or more persons within the county in which he has official jurisdiction, shall visit in person, or have visited in the person of the sanitary inspector or police or city physician of such village or town, the household in which the disease is reported to be, and shall (1) instruct, or have instructed, the householder with reference to the State law and the rules and regulations adopted by the North Carolina State Board of Health under the requirements of the State law as to the duties of the householder under the circumstances; (2) have the house placarded in accordance with instructions prepared by the North Carolina State Board of Health for the householder; (3) leave with the householder a pamphlet prepared by the North Carolina State Board of Health setting forth the dangers of the disease and the best means for preventing the spread of the disease.

RULE 2. The county quarantine officer, within 12 hours after receiving notice of the existence of a case of whooping cough, measles, diphtheria, scarlet fever, cerebrospinal meningitis (epidemic meningitis), or poliomyelitis (infantile paralysis) in any rural section of the county in which he has official jurisdiction, or in any village or town in such county with a population of less than 1,000 persons, shall go in person or shall dispatch by registered mail, with return receipt attached, or, where special arrangements have been made with the village or town authorities, may send by sanitary inspector or police or city physician to the householder in whose household the disease is reported to be, an official notice calling the said householder's attention to (1) the State law and the rules and regulations adopted under the requirements of the State law by the North Carolina State Board of Health as to the duties of the said householder under the circumstances; (2) an enclosed placard which shall be posted as directed in the rules for the householder; and (3) a pamphlet prepared by the North Carolina State Board of Health setting forth the dangers of the disease and the best known methods for preventing the spread of the disease.

RULE 3. The county quarantine officer, within 12 hours after receiving notice of the existence of a case of whooping cough, measles, diphtheria, scarlet fever, cerebrospinal meningitis (epidemic meningitis), or poliomyelitis (infantile paralysis), shall mail to the teacher or principal in charge of the school or schools that have been attended recently by the children of the household in which the disease is reported to be an official notice, and shall furnish the aforesaid teacher or principal (1) the rules and regulations adopted by the North Carolina State Board of Health defining the duties of the principals or teachers of the public schools under the circumstances; (2) a sufficient quantity of suitable literature on the disease which has been reported, for distribution through the children attending the school to all the families represented in the school.

Smallpox.—RULE 1. The county quarantine officer, within 12 hours after receipt of notice of the existence of a case of smallpox in any incorporated town or city within the county in which he has jurisdiction, and other than those towns or cities other-

wise provided for in section 5, chapter 263, public laws of 1917, shall officially notify the mayor or business manager of such town or city, on forms prepared by the State board of health, of the existence of the disease, of the best measures for controlling it, and of the official responsibility of the town or city official under the circumstances.

RULE 2. Within 12 hours after receipt of notice of the existence of a case of smallpox, the county quarantine officer shall dispatch by registered mail, with return receipt attached, to the householder in whose house the disease exists the following: (1) The State law and rules and regulations adopted under the provisions of the State law as to the duty of said householder under the circumstances; (2) an inclosed placard which the householder shall post as directed in the rules; and (3) a pamphlet setting forth the danger, mode of conveyance, and mode of preventing smallpox.

RULE 3. The county quarantine officer, within 24 hours after receipt of notice of the existence of a case of smallpox in any rural section or in any unincorporated settlement, shall post or have posted public notice prepared by the North Carolina State Board of Health for advising the public of the occurrence of the disease and of those means by which its dangers may be avoided. At least 10 such notices for each locality in which the disease exists shall be posted in such places as to be easily observed by the public on or near by important public highways radiating from the location of the disease towards the different parts of the compass.

Typhoid fever.—**RULE 1.** The county quarantine officer, within 12 hours after receiving notice of the existence of a case of typhoid fever within the county in which he has official jurisdiction, shall mail to the householder in whose house typhoid fever is reported to be, an official notice calling said householder's attention to the following: (1) The State law and the rules and regulations adopted under the requirement of the State law as to the duties of said householder under the circumstances; (2) an inclosed placard which the householder shall post as directed in the rules, and (3) a pamphlet setting forth the danger, mode of conveyance, and mode of preventing typhoid fever.

Yellow fever, typhus fever, bubonic plague, Asiatic cholera.—As these diseases have not been recognized in this State in recent years and in all probability will not occur in this State to an extent threatening the public health, the North Carolina State Board of Health feels that it is sufficient to have the cases of these diseases reported to the State epidemiologist, who, on receipt of a report of any one of the said diseases, will personally take charge of the control or quarantine of the disease, calling into consultation an expert of the United States Public Health Service.

Communicable Diseases—Certain Data to be Furnished County Papers—Teachers to Take Disease Census in Schools—County Quarantine Officers to Investigate Suspected Unreported Cases. (Reg. Bd. of H., 1917.)

Quarantine officer's general rules.—**RULE 1.** The county quarantine officer, or the county health officer acting as county quarantine officer, shall furnish the editors of the county papers, monthly, on forms prepared by the North Carolina State Board of Health, the names and addresses of all persons reported during the preceding month as suffering from those infectious and contagious diseases which are mentioned in section 7, chapter 263, public laws of 1917.

RULE 2. The county quarantine officer, or the county health officer acting as county quarantine officer, shall supply the principals or teachers of all public or private schools at the beginning of their schools with blank forms prepared by the North Carolina State Board of Health on which, in accordance with directions furnished therewith, the teacher shall report to the quarantine officer a disease census of the school within two weeks of receipt of said forms.

RULE 3. The county quarantine officer, or the county health officer acting as county quarantine officer, when he has reason to believe that a person is afflicted with one of

the diseases mentioned in section 7, chapter 263, public laws of 1917, and has not been reported to him as suffering from such disease by the attending physician or by the householder, is hereby empowered to visit such person to determine the nature of the disease with which such person is afflicted and to institute those measures necessary to prevent the spread of any possible infectious agent.

Typhoid Fever—Sale of Milk and Foodstuffs from Premises where Case Exists—Disinfection of Feces and Urine. (Reg. Bd. of H., 1917.)

RULE 1. It shall be the duty of every parent, guardian or householder, in whose family or household there exists a case of typhoid fever, not to sell any food usually consumed uncooked, such as milk, butter, fruits, and certain vegetables, except in accordance with the regulations prescribed by the county health officer.

RULE 2. It shall be the duty of every parent, guardian or householder, in whose family or household a case of typhoid fever exists, to thoroughly disinfect the bladder and bowel discharges from the sick person in accordance with the method described in the pamphlet on typhoid fever supplied such parent, guardian or householder, by the county health officer, before otherwise disposing of such discharges.

If any person shall violate any of the rules and regulations made by the county board of health, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for the first offense, be fined not less than \$5 nor more than \$50, and for each subsequent offense not less than \$10 nor more than \$50, or be imprisoned in the county jail not more than 30 days, or be both fined and imprisoned in the discretion of the court.

Tuberculosis—Examination of Prisoners for—Treatment when Found Infected—Reports of Prison Officials. (Ch. 262, Act Mar. 7, 1917.)

SECTION 1. No prisoner suffering with tuberculosis shall be kept in any county convict camp, or on any public or private works, or in any jail (except, in the latter case, when said prisoner is awaiting trial), but such prisoner suffering with tuberculosis shall be sent to the State farm within 48 hours after the physician in charge shall have made a diagnosis of tuberculosis, the county in which said prisoner is confined bearing the expense of transfer, and it shall be the duty of the sheriff to make such transfer: *Provided*, That no such prisoner shall be sent to the State farm unless he or she shall have first consented thereto in writing in the presence of the sheriff of the county where the prisoner may be under sentence, which sheriff shall subscribe his name as a witness thereto and who shall take and file the same with the clerk of the superior court of said county, who shall enter same in a book to be kept for that purpose: *Provided further*, That no such prisoner shall be kept at the State farm or central prison for a longer term than the length of his original sentence.

SEC. 2. The board of directors of the central prison and State farm and the superintendent of the said central prison and State farm shall without delay make such provision for the care of such prisoners suffering with tuberculosis as will prevent their communicating the disease to the other prisoners, and to the end that such prisoners suffering with tuberculosis may be restored to health, if such be possible.

SEC. 3. It shall be the duty of the prison management to submit the plans for carrying into effect sections 1 and 2 of this act to the State board of health for its approval, and they are required to make their plans, both for buildings and care of patients, conform to the recommendations of the State board of health.

SEC. 4. It shall be the duty of every county physician or city physician, or county health officer or city health officer, or other physician having in charge the medical care of prisoners in any city or county in this State, or on any public or private works where prisoners or convicts are employed, to make a thorough physical examination of every prisoner committed to the county or city jail or to the county or city chain

gang or road force, or any public or private works within 48 hours after the admission of such prisoner; and when he shall have found a prisoner suffering with tuberculosis, he shall make a written report of same to the State board of health, stating in detail the conditions found and the stage of the disease, within 24 hours after making such diagnosis, and he shall also report same to the superintendent of the chain gang or the jailer or the superintendent of the public or private works, and to the sheriff of the county, in writing, within 24 hours after having made such diagnosis of tuberculosis.

SEC. 5. Each and every superintendent of convicts, or superintendent of public or private works where convicts are employed, and the superintendent of the central prison and State farm, and each and every jailer, shall make such reports as to the existence of cases of tuberculosis or suspected cases of tuberculosis, or other disease or diseases, and loss of time on account of sickness, and the disease or diseases causing such loss of time and such other things that may have a bearing on the health of the prisoners and the sanitation of the camp, prison, or jail, to the State board of health at such stated periods and on such stated forms as may be requested by the State board of health. And each and every health officer or other physician having charge of prisoners in county convict camps, on county or city roads or streets or public or private works, or in jails or prisons, State, city, or county, shall likewise make such reports to the State board of health as to the physical condition and transfer of prisoners and as to the sanitary condition of camps, jails, or prisons, as may be requested by the State board of health.

SEC. 6. The superintendent of the central prison or State farm, convict camp, or of any public or private works where convicts are used, and the jailers of the county jails and the sheriff of the county, and the medical officer connected with any of the above mentioned places where convicts are kept or worked, shall make such reports to the State board of health as to transference of prisoners suffering with tuberculosis, giving name of prisoner, length of time said prisoner had been under his jurisdiction, the stage of the disease, point or place to which he was transferred, name and address and official title of the person to whom he was transferred, and such other information as may be requested by the State board of health.

SEC. 7. In order that section 2 of this act may be the more effective, it shall be the duty of the superintendent of the central prison and State farm and such other officers as may have jurisdiction under him to provide such additional food for prisoners suffering with tuberculosis as may be prescribed or requested by the physician in charge. And such prisoners suffering with tuberculosis shall only do such work as may be prescribed by the prison physician.

SEC. 8. That any person violating any of the provisions of this act shall be guilty of a misdemeanor, and fined or imprisoned, in the discretion of the court.

Rural Sanitation—Annual Appropriation. (Ch. 276, Act Mar. 7, 1917.)

SECTION 1. In order that the North Carolina State Board of Health may take advantage of funds appropriated by various agencies (including the International Health Board, the Federal Government, corporations, counties, and other agencies) and based upon supplemental appropriations from the State, the sum of \$15,000 is hereby annually appropriated, to be paid by the State treasurer on warrants issued by the State auditor on requisitions signed by the secretary and the president of the North Carolina State Board of Health: *Provided, however*, That this fund, or any part thereof, shall not be used in any form of rural sanitary improvement or rural health work except to supplement funds from other sources, which funds from other sources shall amount to at least \$3 or more for every dollar appropriated from this fund.

County Tuberculosis Hospitals—Establishment, Maintenance, and Regulation.
(Ch. 99, Act Mar. 1, 1917.)

SECTION 1. That any county within the State of North Carolina shall have power and authority at any time hereafter to establish, erect, and maintain a hospital for the care and treatment of persons suffering with the disease known as tuberculosis, as hereinafter provided in this act.

SEC. 2. That the board of county commissioners of any county in North Carolina may, by majority vote of said board or upon petition of one-fourth of the freeholders of said county, shall, after 30 days notice at the courthouse door, and publication in one or more newspapers published in said county, order an election to be held at the next general election, or order a special election to be held at such time as they may fix, to determine the will of the people of the county whether there shall be issued and sold bonds to an amount not to exceed \$100,000, to bear interest at such rate as said board may fix and to be payable, both principal and interest, when and where they may decide. The proceeds of said bonds to be used in securing lands and erecting or altering buildings and equipping same, to be used as a hospital for the treatment of tuberculosis. If the majority of the qualified voters at said election shall vote in favor of the issuing of said bonds, then said bonds shall be issued and sold by said board and a special tax shall be levied to pay the interest on said bonds and provide a sinking fund to pay said bonds at maturity. Said board of commissioners are hereby also authorized to levy a special annual tax not to exceed 5 cents on the \$100 valuation of property and 15 cents on the poll to be used as a maintenance fund for said hospital for tuberculosis.

SEC. 3. That the county commissioners at the next general election or special election shall cause to be placed at each voting precinct in the county a ballot box marked "county tuberculosis hospital," and cause to be printed and distributed official ballots labeled "For county tuberculosis hospital," and official ballots labeled "Against county tuberculosis hospital," said election to be governed by the laws of the State.

SEC. 4. That for each hospital so established, the board of county commissioners shall by a majority vote elect a board of managers consisting of five members, who shall hold office for the term of five years, unless sooner removed for cause by the board of county commissioners: *Provided*, That at the first election of a board of managers one member shall be elected for the term of one year, one member for the term of two years, one member for the term of three years, one member for the term of four years, and one member for the term of five years: *Provided, also*, That any vacancies in such board may be filled by the board of county commissioners for the unexpired term. In all counties having a health officer, such health officer shall, in addition to the five elected members, be ex officio a member of such board of managers. Women shall be eligible for election to such boards of managers. The compensation for such board shall be the same as that of the county commissioners.

SEC. 5. That authority in regard to the purchase of lands, erection and maintenance of buildings, selection of officers, employees, and attendants, formulation of rules and regulations for the admission and government of patients, and general conduct of the hospital, shall vest in the board of managers; that no one related by blood or marriage to any member of the board of managers shall be appointed to any office or position in connection with the hospital, except by unanimous vote of the board of managers; that all property, both real and personal, pertaining to such hospital shall be vested in the county: *Provided, however*, That any donations, bequests, or devises made for the use of such hospital shall be held by the county in trust according to the terms of such donation, devise, or bequest.

SEC. 6. That the board of county commissioners, or the board of managers, according to the authority vested in them by the board of county commissioners or by this act,

shall have power and authority to purchase property, both real and personal, to make contracts, to formulate, change, and alter rules and regulations for the admission and government of patients, and to do all things reasonably incidental or necessary to carry out the true intent and purpose of this act. Patients may be admitted and kept without charge or for such compensation as may be deemed just and proper in each particular case: *Provided*, That no person who is not a bona fide resident of the county maintaining such hospital shall be kept for less than actual cost.

County or Town Tuberculosis Hospitals, Tents, Etc.—Plans to be Approved by State Board of Health. (Ch. 216, Act Mar. 6, 1917.)

SECTION 1. That any county or town desiring to erect a sanatorium or hospital, shack, tent, or other structure in which it is intended to keep persons suffering with tuberculosis, shall first submit to the State board of health for its approval or rejection the plans of said sanatorium, hospital, shack, tent, or other structure, and it shall be unlawful for any county or town to begin the erection of any such structure referred to above without the consent or approval of the said State board of health.

SEC. 2. Any person, firm, or corporation, failing, neglecting, or refusing to comply with the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, in the discretion of the court.

School Children—Physical Examination—Treatment of Physical Defects. (Ch. 244, Act Mar. 7, 1917.)

SECTION 1. That it shall be the duty of the State board of health and the State superintendent of public instruction to prepare and distribute to the teachers in all of the public schools of North Carolina instructions and rules and regulations for the physical examination of pupils attending the public schools. The State board of health shall have these instructions, rules and regulations explained to the teachers in every county in the State by some competent physician.

SEC. 2. Upon receipt of such instructions, rules and regulations, and after they shall have been explained by a physician, it shall be the duty of every teacher in the public schools to make a physical examination of every child attending the school and enter on cards furnished by the State board of health a record of such examination. The examination shall be made at the time directed by the State board of health and the State superintendent of public instruction, but every child shall be examined at least once every three years. The State board of health and the State superintendent of public instruction shall so arrange the work as to cover the entire State once in every three years.

SEC. 3. The teacher shall transmit the record cards made by him to a physician in the county designated by the county board of education, and if any teacher shall fail to make such examinations or transmit such records he may, upon complaint of the State board of health and the State superintendent of public instruction, have his teacher's certificate revoked.

SEC. 4. The State board of health shall designate in each county of the State a physician to whom the record cards made out by the teacher shall be sent: *Provided*, That in counties having a whole-time health officer such officers shall be designated. Upon receipt of the record cards the physician shall carefully study the same and shall notify the parent or guardian of every child whose cards show a serious physical defect, as defined by the State board of health, to bring such child before him on some Saturday named by the physician between the hours of 9 a. m. and 5 p. m. for the purpose of having said child thoroughly examined, and if upon receipt of such notice any parent or guardian shall fail or refuse to bring said child to the physician without good cause shown, he shall be guilty of a misdemeanor, and shall be fined not more than \$50 or imprisoned not more than 30 days.

SEC. 5. The physician designated to make such examinations shall receive as compensation for his services the sum of 60 cents for each child examined, the same to be paid by the county commissioners of the county: *Provided*, That under no circumstances shall the total amount paid the physician for such examinations be more than \$7.50 per 100 children enrolled in the public schools of the county: *And provided further*, That whole-time county health officers shall receive no additional compensation for making such examinations.

SEC. 6. After such examinations the physician shall notify the parent or guardian of each child of any defect discovered by him, and shall advise such parent or guardian of the treatment that ought to be given the child.

SEC. 7. The State board of health and the State superintendent of public instruction are authorized to make arrangements with the physicians and dentists of each county to treat the school children found upon such examinations to have physical defects upon a reduced schedule of fees; if a satisfactory arrangement can be made, then the State board of health is authorized to pay 20 per cent of such reduced cost of treatment, provided the county commissioners will pay 20 per cent of such cost of treatment.

SEC. 8. For the purpose of aiding in the treatment of children found to be defective under the provisions of this act, a special appropriation of \$10,000 per annum, or so much thereof as may be necessary, is made to the State board of health. No part of this appropriation shall be used for any purpose other than aiding in the treatment of school children under the provisions of this act.

Hotels—Water-Closets and Privies—Prevention of Mosquito Breeding—Water Supply—Screening—Sleeping Rooms—Bedding—Disinfection—Common Towels Prohibited—Protection of Foodstuffs—Garbage—Cleanliness—Inspection. (Ch. 66, Act Feb. 26, 1917.)

SECTION 1. That a hotel within the meaning of this act is an inn or public lodging house of more than 15 bedrooms where transient guests are fed or lodged for pay in this State. The term "restaurant," as used in this act, shall include lunch counters and cafés. The term "transient guests," within the meaning of this act, shall mean one who puts up for less than one week at such hotel.

* * * * *

SEC. 8. In all cities, towns, or villages where a system of waterworks and sewerage is maintained for public use, every hotel therein accessible to water main and sewer main shall be equipped, within six months after the passage of this act, with suitable water-closets for the accommodation of its guests, which water-closets shall be connected and trapped by proper plumbing with such water and sewerage systems, and there shall be some adequate means of flushing said water-closets with the water in such manner as to prevent sewer gas from arising therefrom. The water-closets and bathrooms must be sufficiently lighted to permit the reading of 10-point roman type 18 inches from the normal eye. The washbowls in the main wash room of such hotel must be connected and trapped and equipped in similar manner, both as to method and time; all such equipment to be paid for by the owner.

SEC. 9. In all towns and villages not having a system of waterworks and sewerage, every hotel not provided with waterworks [water-closets?] and wash rooms as in the preceding section provided shall have properly constructed privies as approved by the State board of health, the same to be kept in sanitary condition at all times.

SEC. 10. The proprietor of every hotel shall keep all cisterns, tanks, and other receptacles containing standing water screened or otherwise so covered as to prevent the entrance of flies, mosquitoes, and other disease-carrying insects. The term "standing water" as used in this act shall mean water that remains for 10 days or more in a cistern, tank, or other receptacle.

SEC. 11. A sample of water used in every hotel and restaurant, except in cases where the water is derived from some public water supply, shall be sent by the pro-

prietor to the State laboratory of hygiene for analysis twice each year, with a certificate that it is the water used in such hotel or restaurant, and if the sample is found by said laboratory to be unfit for the use that is made of the water in the hotel or restaurant, the further use of such water shall be discontinued until permission is granted by the State board of health to resume the use of such water.

SEC. 12. The proprietor or keeper of every hotel or restaurant shall keep screened the doors, windows and all openings of the kitchen and dining room with suitable mesh wire gauze from the 1st of April to the 1st of December. Every hotel must have all bedroom windows screened or else provide each bed with a mosquito bar for the use of its patrons for protection against flies, mosquitoes, and other insects, and it shall be the duty of the proprietor or keeper of every hotel and restaurant to use such other means as fly paper, flytraps, etc., as may be necessary to keep their restaurant, kitchen, and dining room reasonably free from flies.

SEC. 13. In every sleeping room the minimum floor area shall be 60 square feet per bed, and under no circumstances shall there be provided less than 500 cubic feet of air space per bed. There shall always be space in each room, and the arrangement of each room shall be such that there may be a space of 2 feet between any beds in the room. All beds shall be so arranged that the air shall circulate freely under each. In no hotel shall beds or bunks in the same room or apartment be placed one above another: *Provided*, That this section shall not apply in cases of emergency.

* * * * *

SEC. 15. All hotels shall hereafter provide each bed, bunk, cot, or other sleeping place for the use of the guests with pillowslips, under and top sheets to be of sufficient width to cover the mattress thereof, and to be at least 90 inches long. All pillowslips and sheets after being used by one guest must be washed and ironed before being used by another guest, a clean set being furnished each succeeding guest.

SEC. 16. All beds, bedclothing, mattresses, and pillows shall always be kept clean and free from vermin.

SEC. 17. Every room after being occupied by any one known or suspected to be suffering from tuberculosis, diphtheria, or any contagious disease must be thoroughly disinfected as prescribed by the State board of health before further occupancy; and every room after being occupied by any one known or suspected to be suffering from measles or whooping cough must be thoroughly aired for 24 hours before subsequent occupancy.

SEC. 18. All hotels shall furnish each guest with a clean towel; and the use of the roller or other towels used in common is hereby prohibited in all hotels and restaurants.

SEC. 19. The refrigerator, ice boxes, and cold-storage rooms of all hotels or restaurants must be kept free from foul and unpleasant odors, mold, and slime. The kitchen must be well lighted and ventilated, the floor clean, and the sidewalls and ceilings free from cobwebs and accumulated dirt.

SEC. 20. All dishes, tableware, and kitchen utensils must be thoroughly washed and rinsed with clean water after using; food served to customers when part of same has been used must not again be served to other customers.

SEC. 21. All garbage must be kept covered and protected from flies, in barrels or galvanized-iron cans, and removed at least twice a week.

SEC. 22. Every lodging house and every part thereof shall at all times be kept free from filth and rubbish in or on the premises belonging to or connected with the same. All water-closets, washbasins, baths, windows, fixtures, fittings, and painted surface shall at all times be kept clean and in good repair. The floors, walls, and ceilings of all rooms, passages, and stairways must at all times be clean and in good repair.

SEC. 23. For the purpose of carrying out the provisions of this act the State board of health is authorized and required to inspect, through its officers or agents, without cost to the hotels, all hotels and restaurants in the State once a year. If upon inspection of any hotel or restaurant it shall be found that this law has been fully complied with, the secretary of the State board of health shall issue a certificate to that effect

to the person operating the same, and such certificate shall be kept posted in plain view in some conspicuous place in said hotel or restaurant.

SEC. 24. No hotel or restaurant shall be inspected oftener than once a year, unless there is a change of proprietors, or unless it shall appear to the State board of health from the inspection made that additional inspections are necessary, or upon a verified complaint signed by three or more patrons, setting forth facts showing that such hotel is in an unsanitary condition or that fire escapes and appliances are not kept and maintained in accordance with the provisions of law. Upon receipt of such complaint, the State board of health shall make, or cause to be made, an inspection or examination of the matters complained of, and if upon inspection such complaint is found to be justifiable, the actual cost of inspection shall be charged and collected from the proprietor of the hotel. In case the complaint is found to be without reasonable grounds, the actual cost for such inspection shall be chargeable against and collected from the person or persons making the complaint.

SEC. 25. The official representative or agent of the State board of health shall after inspection make a report of the condition of the hotel inspected upon blanks to be provided by the State board of health, showing in detail the condition of the hotel with reference to compliance with this law, which report shall be filed in the office of the board.

SEC. 26. The inspectors, officers, or agents of the State board of health are hereby empowered and authorized to enter any hotel at all reasonable hours to make such inspection; and it is hereby made the duty of every person in the management or control of such hotel to afford free access to every part of the hotel, and render all aid and assistance necessary to enable the inspector to make a full, thorough, and complete examination thereof; but no inspector shall violate the privacy of any guest without his or her consent.

SEC. 27. It shall be the duty of the inspector, upon ascertaining, by inspection or otherwise, that any hotel is being carried on contrary to any of the provisions of this act, to notify the manager, or proprietor, in what respect it fails to comply with the law, requiring such persons within a reasonable time to do or to cause to be done the things necessary to make it comply with the law, whereupon such proprietor or manager shall forthwith comply with such requirements.

SEC. 28. Any owner or manager, agent or person in charge of a hotel, café, and restaurant, or any other person who shall willfully obstruct, hinder, or interfere with any inspector in the proper discharge of his duty, or who shall willfully fail or neglect to comply with any of the provisions of this act after notice from the inspector or any other person in authority, shall be guilty of a misdemeanor, and upon conviction thereof, be fined not less than \$10 nor more than \$50 for each offense, and each day that he shall fail to comply shall be a separate and distinct offense.

SEC. 29. It shall be the duty of the inspector, in case he shall have knowledge of any violation of this act, to swear out a warrant against the person offending.

**Proprietary Medicines and Mechanical Devices for the Cure of Certain Diseases—
Sale or Advertising of, Prohibited. (Ch. 27, Act Feb. 12, 1917.)**

SECTION 1. That it shall be unlawful for any person, firm, association, or corporation in the State, or any agent thereof, to sell or offer for sale any proprietary or patent medicine or remedy purporting to cure cancer, consumption, diabetes, paralysis, Bright's disease, or any other disease for which no cure has been found, or any mechanical device whose claims for the cure or treatment of disease are false or fraudulent; and that it shall be unlawful for any person, firm, association, or corporation in the State, or any agent thereof, to publish in any manner, or by any means, or cause to be published, circulated, or in any way placed before the public any advertisement in a newspaper or other publication or in the form of books, pamphlets, handbills, circulars, either printed or written, or by any drawing, map, print, tag, or by any

other means whatsoever any advertisement of any kind or description offering for sale or commending to the public any proprietary or patent medicine or remedy purporting to cure cancer, consumption, diabetes, paralysis, Bright's disease or any other disease for which no cure has been found or any mechanical device for the treatment of disease, when the North Carolina Board of Health shall declare that such device is without value in the treatment of disease.

SEC. 2. That each sale, offer for sale, or publication of any advertisement for sale of any of the medicines, remedies, or devices mentioned in the foregoing section shall constitute a separate offense.

SEC. 3. That any person, firm, association, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding \$100 for each offense.

SEC. 4. To provide for the efficient enforcement of this act, the same shall be under the supervision and management of the North Carolina Board of Pharmacy.

SEC. 5. That it shall be the duty of all registered pharmacists to report immediately any violations of this act to the secretary of the board of pharmacy, and any willful failure to make such report shall have the effect of revoking his license to practice pharmacy in this State.

SEC. 6. That the chemists and other experts of the department of agriculture shall, under such rules and regulations as may be prescribed by the board of pharmacy, and upon request of the secretary of said board, make an analytical examination of all samples of drugs, preparations, and compounds sold or offered for sale in violation of this act.

Prisoners—Physical and Mental Examination—Sanitary Supervision of Jails and Convict Camps. (Ch. 286, Act Mar. 7, 1917.)

* * * * *

SEC. 8. The sanitary and hygienic care of the prisoners shall be under the direction, supervision, and regulation of the State board of health, and all camps and camp equipment shall conform to the plans and specifications of and be approved by the State board of health and the State highway commission; and the board of directors of the State prison shall do such things as may be necessary to carry out the recommendations of the State board of health. The supervision of the State board of health shall apply to the State prison, the State farms, and county or State camps or other places where the prisoners are confined or housed, and such recommendations as shall be made by the State board of health regarding clothes, bedding, tableware, and bathing for the prisoners shall be carried out by the board of directors of the State prison.

SEC. 9. That the prisoner's number shall be used for marking all clothes, bedclothing, beds, and other supplies used by prisoners, so that when such clothes, bedclothing, and supplies are washed and cleaned they shall be always returned for the use of the same prisoner.

SEC. 10. That the board of directors of the State prison and the State board of health shall have the same supervision of all jails, county camps, and any other places of confinement of county or city prisoners in regard to method of construction, sanitary and hygienic care, as they have over the State prison.

SEC. 11. That the board of directors of the State prison are herewith authorized to work the prisoners committed to their charge on the public roads of the State by organizing State camps for housing and feeding the prisoners while at work on such roads, but the construction of such camps must be in accordance with plans approved by the State highway commission and the State board of health. * * *

SEC. 11½. The State board of health shall have the same supervision of all jails, county camps, or other places of confinement of county or city prisoners in regard

to method of construction, sanitary and hygienic care, as they have over the State prison, and the county and city authorities will carry out the directions of said board of health.

* * * * *

SEC. 14. That in order to erect suitable quarters for the prisoners kept at the State farms, the board of directors of the State prison is herewith authorized and directed to spend a sufficient amount of the funds under the control of the board to pay for the erection of sanitary quarters for the prisoners with individual cells, when cells are deemed necessary, for each prisoner, and the plans and specifications for the erection of such quarters shall be approved by the State board of health.

* * * * *

SEC. 22. That each prisoner committed to the charge of the board of directors of the State prison shall be carefully examined by a competent physician in order to determine his physical and mental condition, and his assignment to the prison, farm, or camps, and the work that he is required to do, shall be dependent upon the report of said physician as to his physical and mental capacity.

Jails—Sanitary Regulation. (Reg. Bd. of H., May 1, 1917.)

1. *Physical records.*—No prisoner shall be admitted to any jail without an examination and record of his physical condition. The record of the prisoner's physical condition shall be made either on forms prepared by the North Carolina State Board of Health or on forms which have been submitted to and approved by the said board.

2. *Race and sex separation.*—Proper separation of the races and sexes shall be maintained.

3. *Separation of infections.*—No prisoner who has tuberculosis, syphilis, gonorrhea, gleet, chancroid, crab lice, or other contagious disease shall be permitted to use the eating utensils, dipper, wash basin, bowl or lavatory, closets or commodes, beds, bed clothing, body clothing, or any other thing that comes in direct or indirect touch with the other prisoners.

4. *Precautions against vermin.*—No prisoner with any form of vermin on his body or in his clothes or baggage shall be admitted to the jail. The North Carolina State Board of Health will accept no excuse for the presence of vermin in jails, and will score heavily against jails where vermin is present. *

(This simply means that all prisoners are to be very carefully examined for vermin before admission, and where vermin is found on them or in their baggage, they are to be treated and relieved of their infestation before being admitted to the general quarters of the jail. Where vermin is present, or where there is the least suspicion of its presence, have the prisoner take a general bath, and have a mixture of equal parts of sweet oil and kerosene oil thoroughly rubbed into the hair and scalp and the head bandaged in a large handkerchief for the night. The initial bath and change of clothing should be carried out, where such is possible, in a room which is, to a considerable extent, detached or separated from the jail.

To prevent introduction of vermin in the clothes or in the baggage of prisoners, the county authorities should provide washable clothing for the prisoners, and the clothing which the prisoners bring with them should not be allowed to be taken into the jail. This is certainly the most sanitary practice and will in the end be found to be the cheapest.

Washing for the prisoners should be done in the jail. If the washing is sent out, the jailer should see to it that the clothing of the prisoners should not be handled by any family who would be likely to infest the clothes with bed bugs or other vermin and in that way infest the jail.)

5. *Air and floor space.*—The jail must be so constructed that there will be at least 600 cubic feet of air space and 60 square feet of floor space for each prisoner.

(This is the minimum air space requirement for the tenement districts of New York, and, with the present price of air, is not too much to allow the prisoners.)

6. *Water supply.*—The water supply of jails must be reasonably pure and safe as indicated by the following: (a) Analysis of at least one sample of the water by the State laboratory of hygiene, and the water to be reanalyzed every three to six months; (b) source of the supply so located that privies and other places of deposit of human excrement and houses and pens for domestic animals shall drain away from and not in the direction of the water supply; (c) source of water supply not to be closer than 150 feet to any privy or other place of deposit of human excrement; (d) if well is used, it should have a tight cover with top elevated above the surface of the ground and a stone or concrete wall for 6 or 8 feet; (e) pump should be given preference to bucket and chain; (f) common drinking bucket should be replaced with a barrel or keg or other closed container, with spigot; (g) each prisoner and each attendant should have his own individual drinking cup.

7. *Clothing.*—Each prisoner shall have adequate clothing, and each prisoner shall be provided with one clean nightshirt, pajamas, or gown per week. The change from day clothing to night clothing is necessary for the comfort of the prisoner and to prevent undue soiling of the bed clothing.

8. *Bathing.*—Each prisoner should be required to wash his face and hands at least twice daily and to have not less than one general bath every week. Each prisoner should be provided with his own soap, wash basin, and at least two towels a week.

9. *Beds.*—Each prisoner shall be provided with bed space at least 3 feet wide by 6 feet long. This space should be provided with a clean mattress or tick or comfortable springs. The sheets, blankets, and quilts shall be of such sizes as to permit as thorough tucking under the sides and lower ends of the tick or mattress, and the top sheet shall be of such length as to permit of its being turned back at least 6 inches over the top of the blanket and quilt. Sheets and pillowcases shall be changed once a week. Blankets or quilts shall be kept reasonably clean, and the mattress or tick shall be sunned at least once every two months.

10. *Furniture and recreation.*—Sufficient light, natural and artificial, must be provided to permit of reading ordinary type during day and night without eyestrain. A sufficient number of comfortable chairs shall be provided for the prisoners. Cuspidors, if nothing more than boxes with sawdust, should be provided. Jailers should see that prisoners are supplied with such games as checkers, chess, and cards, and magazines and newspapers. A little interest on the part of the jailer in his prisoner, will be sufficient to secure from individuals and organizations of the town in which the jail is located, a sufficient number of magazines, newspapers, etc.

11. *Sewage disposal.*—Human discharges shall be disposed of in such manner as to prevent the access of flies to the discharges and to prevent the discharges from washing, either by soil percolation or surface washings, into any water supply.

(Unless the jail uses sewerage, it may be well for the jailer to write the State board of health at Raleigh in regard to suitable closet arrangements.)

12. *Flies and mosquitoes.*—Flies and mosquitoes in considerable numbers must not be found in the jail. These pests can be kept out by suitable screening, by persistent, but not troublesome, use of flytraps, flypapers, and fly swatters.

13. *Monthly reports physical condition.*—Jailers shall make monthly reports to the secretary of the North Carolina State Board of Health on forms supplied the jailers for such reports. The reports shall include: (1) The number of prisoners—white, colored, male, and female. (2) Number of prisoners sick during the month. (The term "sick," as here used, shall mean the claim of the prisoner that he is sick when such claim is unchallenged by the prison physician.) (3) Total number of days of sickness. (If prisoner X loses 3 days from sickness, prisoner Y 15 days, and prisoner

Z 1 day, total number of days of sickness lost would be 19.) (4) Number of visits from physician. (5) Cost of medicines. (6) Six most important diseases causing sickness. (7) Per capita cost of food. (The cost of food shall not include the expenses of preparing the food, such as gardening, cooking, or serving food, but shall be the actual money value of vegetables purchased or raised in the garden or on the farm, plus other food materials purchased from the market.)

Convict Camps—Sanitary Regulation. (Reg. Bd. of H., May 1, 1917.)

1. *Location of camp.*—In locating a camp, due regard should be had to drainage, prevailing direction of winds, and the relation to marshes and swamps, the habitation of domestic animals, and places of deposit of human excrement which are not under the control of the camp supervisor. The camp site should be elevated and well drained. Where conditions permit, the camp should be located to the southwest of hills, forests, and other obstructions to the prevailing wind of summer and with the protection of such obstructions against the prevailing wind of winter. Camps should be located as far as conditions will permit from marshes and swamps, and, where possible, located so that the prevailing wind of summer is from the camp to the marsh rather than in the reverse direction. Camps should be located as far as conditions will permit from stables, pigpens, and other fly-breeding places, and places of deposit of human excrement which are not under the control of the camp supervisor. A perfect score on location counts 5; if drainage is bad, 1 is deducted; if camp is so located that prevailing winds interfere with the comfort of the convicts, 1 is deducted; if camp is too close to marshes, 1 is deducted; if in close proximity to stables, 1 is deducted; if located close to sewerage not under camp control, 1 is deducted.

2. *Construction of buildings; air and ventilation.*—The buildings must be so constructed that there will be in the sleeping quarters an average of at least 300 cubic feet of air per convict, plus an opening (window space or grating) of 3 square feet per convict. This opening must remain open all the time. Where there is no such allowance for free and continuous admission of air to the sleeping quarters of the convicts, 600 cubic feet of air must be provided in the sleeping quarters for each convict. The solution of this requirement is a separate living and sleeping room for convicts. By separating the sleeping room from the living room provision can be made for free admission of the air and at the same time a great reduction in the cubic feet of air space allowed per convict. The admission of outside air during sleeping hours permits the county authorities to use a much smaller building and at the same time to have much healthier convicts for work.

Buildings should be so placed with reference to sun exposure as to admit a maximum of sunlight. This provision requires that a long building would have its ends north and south and its sides east and west. There should be a sufficient amount of artificial light for convicts to read and write and play games at night, after supper. As much separation of the two races, in the dining and living rooms and in the sleeping quarters, should be practiced as conditions will permit. Sufficient furniture should be supplied the convicts so that they will not have to sit on their beds or bunks. Some form of cuspidor, if nothing more than a box with sawdust or sand in it, should be provided.

3. *Water supply and equipment.*—The water supply of convict camps must be reasonably pure and safe as indicated by the following: (a) Analysis of at least one sample of the water by the State laboratory of hygiene, and the water to be reanalyzed every three to six months; (b) source of the supply so located that privies and other places of deposit of human excrement and houses and pens for domestic animals shall drain away from and not in the direction of the water supply; (c) source of water supply not to be closer than 150 feet to any privy or other place of deposit of human excrement; (d) if well is used, it should have a tight cover with top elevated above the surface of the ground and a stone or concrete floor for 6 or 8 feet; (e) pump should be given preference to bucket and chain; (f) common bucket should be replaced with a

barrel or keg or other closed container with spigot; (g) each convict and each attendant should have his own individual drinking cup. If there has been no analysis made, five-tenths of 1 per cent will be deducted from the total score. If water is found to be contaminated, 1 is deducted. If the well is without a pump, five-tenths of 1 per cent is deducted. If there is no specially provided receptacle for containing the drinking water, and a water bucket is used for this purpose, 1 is deducted. If the men are not provided with individual cups, 1 is deducted.

4. *Food and nutrition.*—The superintendents or supervisors of all camps, jails, and prisons are to report in duplicate on charts supplied them by the secretary of the State board of health or the State geologist to the superintendent of the State penitentiary and to the secretary of the State board of health each month the following for each prisoner: (a) Name; (b) date of beginning of sentence at camp; (c) height; (d) weight on beginning sentence in camp; (e) average weight; (f) present weight; (g) total number working days possible for prisoner during the preceding month; (h) total days of prisoner's incapacity during preceding month; (i) explanation of any incapacity. If the average weight of the convicts at the time of the inspection is 5 per cent below the average weight of normal men of the average height of the convicts in the camp, a score of 2 will be deducted from the total score; for 8 per cent underweight, 4 will be deducted; and for 12 per cent underweight, 7 will be deducted. If during the month the average loss of time of the convicts is over 3 per cent, 1 will be deducted; over 4 per cent, 2; 5 per cent, 4; 6 per cent, 6; and 8 per cent, 8. It is believed that by keeping track of this loss of weight and time a pretty good check can be kept upon whether or not the food served is nutritious and whether the health of the convicts has been looked after.

5. *Clothing.*—Adequate clothes of at least two complete changes a week shall be furnished each prisoner, and each prisoner shall be provided with one clean nightshirt a week. The nightshirt is very essential, because the men should not be expected to wear to bed the underclothing which they have worn all day at work. The day clothing should be taken off and allowed not only to dry, but to air during the night. The changing from the day clothing to the night clothing, whether it be nightshirts, pajamas, or another change of underclothing, is absolutely necessary to keep the bedding clean and the men in good physical condition. The providing of nightshirts or night clothes counts 2 in the total score. The providing of at least two changes of clothing per week also counts 2. Sufficient clothing for the time of the year, including shoes, stockings, etc., counts 1 in the total score.

6. *Beds and bedclothing.*—Bed space shall be provided so that each prisoner shall have a space equal to 3 feet by at least 6 feet. This space shall be provided with either a mattress or, preferably, a tick filled with clean straw. He shall be provided with a pillow and pillowcase, two sheets, and sufficient blankets for the comfort of the prisoner. The sheets and blankets shall be of such size as to permit a thorough tucking under the foot and sides of the tick, and the top sheet, in addition, shall be of such length as to permit of its being turned back at least 6 inches over the top of the blanket. Sheets and pillowcases shall be changed once a week. Blankets shall be kept reasonably clean, and the tick shall be sunned at least once a month. If the tick, pillow, pillowcase, sheets, and covering are provided as above, they will each count five-tenths of 1 per cent in the total score; if not, five-tenths of 1 per cent shall be deducted for each one in which the camp fails. If the men are not given sufficient space for their bedding, 1 shall be deducted from the score. Lack of cleanliness will also deduct 1.

7. *Bathing.*—Each prisoner shall be required to wash his face and hands at least twice daily and to have at least two general baths in previously unused water every week. Every prisoner shall be provided with soap and at least two towels a week, and each prisoner shall have his own wash basin. Each of these points, if provided by the camp or jail, will count 1 each in the total score.

8. *Sleep, recreation, and accidents.*—The prison life should be so regulated that the prisoner will have from 10 to 11 hours work, from $7\frac{1}{2}$ to 8 hours sleep, and $1\frac{1}{2}$ hours recreation, exclusive of the time taken to get ready for meals and the time consumed at meals. If the convicts will rise at 5.30 a. m., get breakfast and then go to work at 6.30 a. m., stop from 12 to 1 for dinner, stop at 6.30 for supper, finish supper by 8 p. m., and have recreation hours from 8 to 9.30 p. m., retiring at 9.30, this schedule will be complied with. The convicts should have for their hour and a half recreation such games as checkers, chess, and cards, magazines and newspapers. A little ingenuity on the part of the supervisor will secure these games and this literature. Supervisors and overseers should have due regard to the effect of excessive temperature on convicts. Exhaustion, heat strokes, and sunstrokes should not occur among prisoners. On the days of high temperature, over 93 or 94 degrees, and in places where the air currents are cut off, convicts should be carefully watched for evidence of exhaustion and given the necessary periods of rest to prevent the occurrence of such accidents. No overseer has the right to put a prisoner in any place of danger that he himself would hesitate to occupy. Frequent accidents among the prisoners of a camp are a reflection upon the camp management. If the time of the men is so arranged as above indicated, credit for sleep of 2 will be allowed, recreation 1, games 1, magazines and papers, 1.

9. *Sewerage.*—Human excrement, urine, and bowel discharges should be disposed of in such a way as to prevent the access of flies to the discharges and to prevent the discharges from washing, either by soil percolation or surface washing, into the water supply. To this end it is recommended, if the camp is not connected with a sewerage system, that either a privy similar to that shown in bulletin on "Sanitary construction and equipment of convict camps" or the pail closet system, supplied by the National Closet Company, Sanford, N. C., be installed. If the camp is of a temporary nature, the pail system enclosed in a rough framework or canvas will probably be found more convenient. If the camp is to be more permanent, the privy shown in the bulletin above referred to will probably be most useful. It is recommended that the pail system of the National Closet Company be used in the sleeping quarters of the convicts. Wherever the pail system is used a box of dry dirt with a shovel should be provided so that those using the closet may cover the deposit with dry dirt as a further safeguard against flies and to prevent odors. Both the privies and pail system shall be supplied with toilet paper. The suggestions regarding sewerage are considered of such importance that a total of 6 is added to the score if all of them are carried out.

10. *Vermin.*—Where bedbugs infest a camp three liberal applications of ordinary kerosene to all the cracks and crevices at intervals of from a week to 10 days will usually be found effective. Where a room or camp can be closed up tight the burning of 2 pounds of sulphur to the 1,000 cubic feet will be found effective in killing the adult bedbugs. After that, several applications of kerosene will stop further trouble. This causes little inconvenience, as it rapidly evaporates. Still another excellent means of destroying bedbugs is to make at least three liberal applications of a solution of corrosive sublimate (mercuric chloride) in alcohol (1 part corrosive sublimate to 500 parts alcohol), at intervals of about a week, to all cracks and crevices infested by vermin. Pyrethrum powders used in liberal quantities around the floors or places infested with fleas or other insects will usually prove effective. With this powder, either in the powdered form or as burning vapor, it will be found much more effective to have the room or building closed. Where closure is impossible, it should be sifted and swept around in all cracks and crevices in liberal quantities. It is much better to prevent the access of fleas to the camp by not allowing dogs to come around the camp. If any vermin is found in the beds, 8 is deducted from the total score.

11. *Flies and mosquitoes.*—When a camp is constructed of wood, the recreation room, sleeping quarters, dining room, and kitchen should be so evenly and closely constructed at all points, especially above the eaves, that screening of all windows and doors will exclude mosquitoes and flies. Where the camp is of a very temporary nature, and where tents are used, and where, for reasons beyond the control of the supervisors,

flies are in evidence, the following measure should be instituted: A mixture of water and milk, equal parts, with 1 ounce of formalin and one heaping teaspoonful of brown sugar to the pint should be placed and kept in shallow saucers, seven or eight of them around the kitchen, dining room, and about every place where flies tend to gather. Where it is impossible to screen, and where, notwithstanding screening, mosquitoes are prevalent and several cases of malaria have occurred, the convicts suffering from malaria should be thoroughly treated with quinine as prescribed in Bulletin No. 42 of the State board of health, and all other convicts should be given 2-grain capsules of quinine before each meal as long as mosquitoes are found about the camp or other places occupied by convicts. Every precaution should be taken to eliminate fly-breeding places, and if these are absent, 2 is counted on the total score. The screening of the camp also counts 2. If malaria is in the camp, 2 is deducted from the total score. If the antily measures have been put in practice, 1 is added to the total score.

12. *Smallpox*.—The prisoners should be vaccinated at the time of their conviction and every seven years thereafter. If smallpox breaks out in a camp, it is best then to vaccinate all of the prisoners, unless they have been recently vaccinated. If all the prisoners have not been vaccinated, 5 will be deducted.

13. *Typhoid fever*.—All prisoners should be vaccinated against typhoid fever. Vaccination of the prisoners in a camp counts 5 for the camp; and if all the prisoners are not vaccinated, this fact counts 5 against the camp.

14. *Syphilis*.—Camp supervisors should ask their camp physician to point out to them the characteristics of syphilis, and whenever a syphilitic is found in the camp, he should be sent either to the county jail, to the prison, or the State farm, where he can be treated with 606. Syphilis should not be found in convict camps, and when found it will greatly score against the management of the camp, and reflect upon the interest and ability of the camp physician. Five will be deducted from the total score if this disease is found in any camp or in any jail where other persons are exposed to the infection.

15. *Tuberculosis*.—This disease is very prevalent among prisoners and is of such far-reaching importance to its victims and their associates that the supervisors of convict camps should be familiar with the initial and suggestive symptoms of this disease, and when a prisoner is found with such symptoms the supervisor should promptly call upon the camp physician for a thorough examination, and if, on such examination, there is reasonable ground for suspecting the disease, such prisoner should be carefully watched and sent to the county jail or to the State penitentiary for proper treatment before it is too late. The State board of health shall officially request the physician of the State penitentiary to carefully record and promptly report the condition of prisoners with tuberculosis sent in from camps in accordance with this rule. A camp sending in cases of tuberculosis far advanced in the stages of the disease will be severely scored against in its sanitary rating. There is no reason, because a man has been convicted of crime and is kept under restraint by authority of the State, that he should be subjected to the danger of contagion of tuberculosis. All prisoners that have contracted tuberculosis should be kept entirely separated from the others and in camps in different sections of the State. The presence of tuberculosis in any camp will cause 5 to be deducted from the total score.

16. *Religious services*.—While it is not the intention to make it obligatory for prisoners to attend religious services that may be held in the camps or jails, yet it is not believed that it is right to deprive them of all opportunity for attending such services; therefore, the authorities in charge of a camp, the supervisor of the camp, should request some minister near the camp to make arrangements for religious services to be held by the ministers of the different churches that are willing to help in this work at the camps at stated intervals. The men should be given the privilege and opportunity of attending the services, and it is believed that the greater portion of the prisoners will attend and take part in such services. If a camp does not have religious services as often as once every two weeks, 2 will be deducted from the total score.

NORTH DAKOTA.

Pupils—Medical Inspection. (Ch. 210, Act Mar. 9, 1917.)

SECTION 1. *Amendment.*—That section 1346 of the compiled laws of 1913 as amended by section 1 of chapter 133 ¹ of the session laws of 1915, be amended and reenacted to read as follows:

SEC. 1346. *Medical inspection of pupils in public schools.*—Upon being petitioned in writing by two thirds of the school directors of the county the board of county commissioners shall employ one or more graduate nurses, or licensed physicians, duly registered and licensed to practice nursing or medicine under the laws of this State, to visit the schools in the county and to inspect and examine the pupils attending said schools: *Provided, however,* That pupils over 12 years of age shall be inspected and examined by a nurse or licensed physician of the same sex as such pupil only. The nurse, or physician, so appointed shall examine at least once annually all children enrolled in the public schools of the county, except those who present a certificate of health from a licensed physician, and such nurse or physician shall make out suitable records for each child, a copy of which shall be filed with the county superintendent of schools. Notice of physical defects or abnormalities of diseased or abnormal children shall be sent to the parents, with recommendations for the guidance of such parents in conserving the health of such child. The medical inspector thus appointed shall cooperate with State, county and township boards of health in dealing with contagious or infectious diseases and in securing a medical treatment for abnormal or diseased, indigent children.

The school board or board of education of any school corporation in the State may, and when petitioned by a majority of the persons having children attending the schools of the district, shall employ one or more nurses or physicians as medical inspectors of schools. The medical inspector thus appointed shall inspect and examine at least once annually all children enrolled in the public schools of the district, for which such inspector was appointed, except those who present a certificate of health from a licensed physician, and such inspector shall make out suitable records of each child examined, one copy of which shall be filed with the county superintendent of schools; but in districts within incorporated cities, one copy of such report shall be filed with the city superintendent of schools and one with the county superintendent of schools. Notice of physical defects or abnormalities of diseased or abnormal children shall be given to the parents as prescribed in the preceding paragraphs of this section, and such inspector shall cooperate with State, county and township boards of health in the manner provided in the preceding paragraph of this section herein.

It shall be the duty of the county superintendent of schools and city superintendents of schools to cooperate with school boards in promoting medical inspection. The county superintendent or the city superintendent may arrange schools by groups for the purpose of inspection. The county superintendent of schools shall advise school boards and county commissioners with a view of securing the most efficient and economical administration of the law. Where medical inspection is provided by the board of education in incorporated cities, the board of education or the school board therein shall furnish all blanks and other needed supplies. When inspection is provided by the county commissioners for all rural and consolidated schools in the county, the county shall furnish the blanks and all necessary supplies. When medical inspection is provided by each school district separately, such district shall furnish the necessary blanks and supplies.

¹ Pub. Health Repts. Reprint 338, p. 408

Meat Handlers in Butcher Shops and Meat Markets—Certificate of Health Required. (Ch. 68, Act Mar. 10, 1917.)

SECTION 1. Every person who handles meats in a butcher shop or meat market where meats are sold to the public, shall file with the executive officer of the board of health a certificate from a physician licensed to practice medicine in this State, to the effect that he has examined such person and found him to be free from any infection, contagious or loathsome disease. Every such person must be examined at least once in each year.

Habit-Forming Drugs—Sale and Dispensing. (Ch. 117, Act Mar. 8, 1917.)

SECTION 1. It shall be unlawful for any person, firm or corporation, either personally or by servant or agent, or as the servant or agent of any other person, or of any firm or corporation, to sell, furnish, or give away any opium or coca leaves or any compound, manufacture, salt, derivative or preparation thereof, and especially to sell, furnish or give away any cocaine, salts of cocaine, or preparation containing cocaine or salts of cocaine, or morphine, or preparation containing morphine or salts or [of] morphine, or any codeine, or salts or derivative thereof, or any preparation containing codeine, or any chloral hydrate, or preparation containing chloral hydrate, or any heroin, or any of its salts or derivatives, or any preparation containing heroin, or any other habit forming drug, whatever its nature or character, or any preparation containing any habit-forming drug, whatever its nature or character, or any substance or residue left after the smoking of opium, whether obtained from an opium pipe or other article used for smoking opium; except upon the original written order or prescription of a recognized and reputable practitioner of medicine, or of veterinary medicine, duly licensed to practice in the State of North Dakota, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, or if ordered by a practitioner of veterinary medicine shall state the kind of animal for which ordered, and shall be signed by the person giving the order or prescription.

Such order or prescription shall be, for a period of two years, retained on file by the person, firm or corporation who compounds or dispenses the article ordered or prescribed, and it shall not be compounded or dispensed after the first time except upon the written order of the original prescriber. The record so kept may be examined by the State's attorney of the county, or his assistant, at any time, and it shall be unlawful for any person, firm or corporation compounding or dispensing articles prescribed as aforesaid to fail to keep such orders and prescriptions on file, and to fail, refuse or neglect to exhibit the same to the State's attorney or his assistant when requested: *Provided, however,* That any physician or veterinary surgeon, licensed to practice, in the State of North Dakota may dispense or distribute any of the aforesaid drugs to a patient in the course of his professional practice only, and a dentist may use and administer such drugs in the course of professional treatment of a patient: *Provided, further,* That such dispensation or distribution must be in good faith, in the course of practice, when the administration of such drugs is necessary and proper, in the proper practice of medicine, veterinary medicine or dentistry, and not for the purpose of evading the spirit or provisions of this act.

Any physician, dentist or veterinary surgeon, so distributing or dispensing any of the drugs herein mentioned, shall keep a record of all such drugs dispensed or distributed, showing the amount dispensed or distributed, the date and the name and address of the patient to whom such drugs are dispensed or distributed, which record shall be kept for a period of two years from the date of dispensing or distributing such drugs, and shall be kept open to the inspection of the State's attorney of the county in which such physician, veterinary surgeon or dentist resides, or his assistant: *Provided, further,* That the provisions of this act shall not be construed to permit the selling, furnishing, giving away or prescribing for the use of any habitual users of any of the substances hereinbefore first named and referred to any of such substances.

This last proviso shall not be construed to prevent any physician, duly licensed to practice medicine in the State of North Dakota, from furnishing in good faith for the use of any habitual user of narcotic drugs who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not given or substances furnished for the purpose of evading the provision of this act, and provided a record is kept of the same to be kept open for inspection by the State's attorney or his assistant, as hereinbefore provided for. It shall be unlawful, however, for any physician or veterinary surgeon to write a prescription or order for the furnishing of or to furnish any of the substances hereinbefore named, the selling, furnishing or giving away of which is hereby made unlawful, to any habitual users of any of said substances, unless in the course of good faith treatment of such person or persons for some disease or for the cure of drug habit, in the proper and usual practice of medicine.

The above provisions shall not apply to preparations which do not contain more than two grains of opium, or more than one quarter grain of morphine, or more than one-eighth of a grain of heroin, or more than one grain of codeine, or any salt or derivative of them in one fluid ounce, or, if solid or semisolid preparation, in one avoirdupois ounce, or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments and other preparations which contain cocaine or any of its salts, or alpha or beta eucaine, or any of their salts or any synthetic substitute for them: *Provided, however,* That such remedies and preparations last named shall be excepted from this act only when they are sold, distributed, given away, dispensed or possessed as medicines and not for the purpose of evading the intentions and provisions of this act.

The provisions of this section shall not apply to sales at wholesale between jobbers, manufacturers, and retail druggists, hospital, scientific or public institutions. The prescriptions and orders hereinbefore referred to may be filled only in retail drug stores and by registered pharmacists. The provisions of this act shall not only [sic] apply to decocanized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine or any habit-forming drug.

SEC. 2. It shall be unlawful for any person, firm or corporation, except physicians, practitioners of veterinary medicine, and dentists, all duly licensed to practice their professions within the State of North Dakota, owners of retail drug stores, conducted by registered pharmacists, jobbers of drugs, manufacturers of drugs and medicines, carrying on a regular business within the State of North Dakota, hospitals, scientific and public institutions, and nurses, acting under the supervision of duly licensed and practicing physicians, having the substances hereinafter named by virtue of their employment or occupation and not on their own account, to have in his, her or its possession any opium or coca leaves, or any compound, manufacture, salt, derivative or preparation thereof, and especially any cocaine, salts of cocaine, or preparation containing cocaine or salts of cocaine, or morphine, or preparation containing morphine or salts of morphine, or any codeine or salt or derivative thereof, or any preparation containing codeine, or any chloral hydrate or preparation containing chloral hydrate, or any heroin or any of its salts or derivatives, or any preparation containing heroin, or any substance or residue, left after the smoking of opium, whether obtained from an opium pipe or other articles used for smoking opium, or any other habit-forming drugs, whatever its nature or character, unless the person so having the same in his, her or its possession has obtained the same from a retail drug store within the State of North Dakota upon the written prescription of a duly licensed physician or practitioner of veterinary medicine, licensed to practice and practicing and having his residence within the State of North Dakota, under the conditions provided for in section 1 of this act, the said person having obtained the same in good faith as a remedy and not for the purpose of evading this act, or any of the provisions thereof, or the intention and spirit thereof. The provisions of this section, however, shall not apply to any United States, State, county, municipal or

other public officer who has possession of any of said drugs by reason of his official duties, or to a warehouseman holding possession for another who is entitled under the provisions hereof to have possession of said drugs, or to common carriers engaged in transporting said drugs. The persons excepted from the operation of the provisions of this section shall not be exempted if any of the substances or drugs herein named are kept by them to be disposed of in violation of this act.

SEC. 3. It shall not be necessary to negative any of the exemptions in this act contained in any complaint, information or indictment, or other writ or proceeding laid or brought under this act, but it shall only be necessary that the State allege in such complaint, information, or indictment, or other writ or proceeding, that the defendant did wilfully, unlawfully, and feloniously sell, furnish, prescribe, give away, or have in his possession, as the case may be, one or more of the substances hereinbefore in this act mentioned and referred to. Upon any hearing or trial of any person, firm or corporation for a violation of section 1 of this act, proof of a sale, furnishing, giving away or prescribing by the accused of any of the substances in paragraph 1 mentioned and referred to, or any article or preparation containing any of said substances, shall be prima facie proof of a violation of said section and of this act, and shall be sufficient evidence to support a conviction for a violation of said section and of this act, and the burden shall be upon the accused to prove that such sale, furnishing, giving away or prescribing was within one or more of the exceptions or exemptions provided by said section. Upon any hearing or trial of any person, firm or corporation for a violation of the provisions of section 2 of this act, proof of the finding of any of the substances hereinbefore mentioned and referred to, upon the person of, or in the dwelling house of, or in any room or place occupied by or controlled by the accused, or in any manner in the possession of the accused, shall be prima facie evidence of a violation of said section and of this act, and shall be sufficient evidence to support a conviction for a violation of said section and of this act. In case the accused, in a prosecution for a violation of section 2 of this act, shall claim to have received the said substance from a retail druggist upon a prescription, as hereinbefore provided for, or from a physician or veterinary surgeon, it shall be necessary for him to produce the original prescription, and the testimony of the physician writing the prescription and of the pharmacist filling the prescription, in case he claims to have obtained it from a druggist, or, in case he claims to have procured it from a physician or veterinary surgeon, to produce the testimony of the physician or veterinary surgeon from whom he procured it; provided the testimony of such parties can be procured, either by having them present in person, or by deposition; before the prima facie case made out by the State as aforesaid shall be deemed to have been overcome.

SEC. 4. If any person shall make an affidavit before any person entitled to administer an oath setting forth that any of the substances, the sale, furnishing, giving away, prescribing or having in possession of which are herein forbidden, are being kept or are present upon certain premises particularly describing such premises, and further stating the name of the person or persons keeping said substances, or having them under their control, if known to the affiant, and if not known, stating that fact, and said affidavit setting forth the foregoing facts shall be filed with any justice of the peace, police magistrate, or other magistrate having jurisdiction together with the affidavit of the State's attorney or his assistant that to the best of his knowledge, information and belief the facts set forth in such affidavit are true and he verily believes that such substance is kept in violation of law, or for the purpose of being sold, given away or furnished in violation of law, said magistrate shall issue a search warrant directed to the proper officer, commanding him to search the premises described in the above affidavit, and to seize all substances, the sale, furnishing, giving away, prescribing or keeping of which are herein prohibited, and take the same into his custody to abide the further order of the court. The officer shall thereupon proceed to execute the search warrant and make return thereon to said magistrate. If the return of said

officer shall show that he has found or seized any such substances or drugs as are herein described and referred to, the magistrate shall appoint a day for hearing, not more than 10 days from the date of such seizure or finding, of which hearing notice shall be given to the person or persons from whose custody or in whose premises said substances or drugs were taken. If at a hearing it shall be found by the magistrate that the drugs or substances so found or seized were kept in violation of this act, the court shall order the destruction thereof by the sheriff of the county, at such time as the said magistrate shall fix, save that when a criminal action has been or is about to be commenced for a violation of the provisions of this act, in which said drugs or substances may be used as evidence, such destruction shall not take place until after the final determination of said criminal action. If the affidavit for a search warrant is made in good faith, the person making it shall not be held civilly liable for damages by reason of such making.

SEC. 5. No person shall be excused from testifying touching any offense committed by another against any of the provisions of this act by reason of his testimony tending to criminate himself. (Witness.) But the testimony given by such person shall in no case be used against him.

SEC. 6. Any person violating any of the provisions of this act, shall upon conviction be punished by a fine of not to exceed \$1,000 nor less than \$100, or by imprisonment in the State penitentiary not more than three years and not less than one year, or by imprisonment in the county jail not more than one year, or by both such fine and imprisonment, and if such person be a licensed physician, dentist, veterinarian, or druggist, his license may be declared forfeited.

SEC. 7. All acts and parts of acts in conflict with this act, and especially section 2943 of the compiled laws of North Dakota for 1913, as amended by chapter 154¹ of the laws of North Dakota for 1915, are hereby repealed.

Soda Fountains—Installation and Operation. (Ch. 216, Act Mar. 12, 1917.)

SECTION 1. All soda water fountains in this State before they are operated shall be installed according to the specifications to be prescribed by the food commissioner and State chemist of this State, who shall, upon the proper installation of such soda water fountain, issue an annual permit for its operation.

SEC. 2. The food commissioner and State chemist is hereby authorized and required to formulate such rules and regulations for the installation and operation of soda-water fountains as may be necessary to meet the requirements of the food, drug and sanitary laws of the State of North Dakota.

SEC. 3. To obtain such permit the owners or lessee of each soda fountain shall in the month of December for the succeeding year make application to the food commissioner and State chemist for such permit, and shall give to such food commissioner and State chemist the information required by him regarding the installation of such fountain, and shall pay to such food commissioner and State chemist with such application the sum of \$10, which sum shall, if the application be granted, be paid to the State treasurer of North Dakota and be paid into the general fund of the State.

SEC. 4. The food commissioner or State chemist, or his deputy or agent, has the right at any and all times to inspect the installation and operation of all soda-water fountains in this State, and if such are not installed and operated according to the rules laid down by such food commissioner and State chemist, the inspecting officer has the right to cancel the permit granted for the installation and operation for such fountain.

SEC. 5. The penalty for the violation of any of the provisions of this act or the failure to register any soda-water fountain as hereinbefore provided shall be a misdemeanor, and upon conviction thereof the owner or lessee shall be required to pay not less than \$10 nor more than \$50 with cost, or be imprisoned on the county jail not less than 10 or more than 30 days.

¹ Pub. Health Repts. Reprint 338, p. 409.

OHIO.

State Department of Health—Establishment—State Commissioner of Health—Public Health Council—Employees—Divisions—Sanitary Code. (Act Mar. 30, 1917.)

SECTION 1. There is hereby created a State department of health, which shall exercise all the powers and perform all the duties now conferred and imposed by law upon the State board of health and all such powers, duties, procedure and penalties for violation of its sanitary regulations shall be construed to have been transferred to the State department of health by this act. The State department of health shall exercise such further powers and perform such other duties as are herein conferred. The State department of health shall consist of a commissioner of health and a public health council.

SEC. 2. There shall be a commissioner of health, who shall be the administrative and executive head of the State department of health. The public health council, hereinafter provided for, shall, with the approval of the governor, appoint a commissioner of health, who shall be a physician, skilled in sanitary science, who shall serve for a term of five years and until his successor is appointed and qualified. The commissioner of health shall perform all executive duties now required by law of the State board of health and the secretary of the State board of health, and such other duties as are incident to his position as chief executive officer. He shall administer the laws relating to health and sanitation and the regulations of the State department of health. He shall prepare sanitary regulations for consideration by the public health council and shall submit to said council recommendations for new legislation. During his term of office, the commissioner of health shall devote his entire time to the duties of his office. The salary of the commissioner of health shall be fixed by the public health council, subject to approval by the governor.

SEC. 3. There shall be a public health council, to consist of the commissioner of health, and four members, hereinafter called the appointive members, to be appointed by the governor. Of the appointive members, at least two shall be physicians who shall have had training or experience in sanitary science. Of the appointive members first appointed, one shall hold office until July 1, 1918, one until July 1, 1919, one until July 1, 1920, and one until July 1, 1921, and the term of office of members thereafter appointed, except to fill vacancies, shall be four years. Vacancies shall be filled by appointment by the governor for the unexpired term. The public health council shall meet four times each year and may meet at such other times as the business of the council may require. The time and place for holding regular meetings shall be fixed in the by-laws of the council. Special meetings may be called upon request of any three members of the council, or upon request of the commissioner of health, and may be held at any place deemed advisable by the council or commissioner. Two members of the public health council and the commissioner of health shall constitute a quorum for the transaction of business. The governor shall, on or before July 1, designate the member of the public health council who shall act as its chairman for the ensuing fiscal year. The commissioner of health shall, upon the request of the public health council, detail an officer or employee of the State department of health to act as secretary of the public health council, and shall detail from time to time such other employees as the public health council may require. The appointive members of the public health council shall receive \$10 a day while in conference and shall be reimbursed their necessary and reasonable traveling and other expenses incurred in the performance of their official duties.

SEC. 4. It shall be the duty of the public health council and it shall have the power:

(a) To make and amend sanitary regulations to be of general application throughout the State. Such sanitary regulations shall be known as the sanitary code;

(b) To take evidence in appeals from the decision of the commissioner of health in a matter relating to the approval or disapproval of plans, locations, estimates or cost or other matters heretofore required to be submitted to the State board of health for approval;

(c) To conduct hearings in cases where the law heretofore required that the State board of health shall give such hearings; to reach decisions on the evidence presented, which shall govern subsequent actions of the commissioner of health with reference thereto;

(d) To prescribe by regulations the number of divisions and qualifications of directors of divisions;

(e) To enact and amend by-laws in relation to its meetings and the transaction of its business;

(f) To consider any matter relating to the preservation and improvement of the public health and to advise the commissioner thereon with such recommendations as it may deem wise.

The public health council shall not have nor exercise executive or administrative duties.

SEC. 5. Every regulation adopted by the public health council shall state the date on which it takes effect, and a copy thereof, duly signed by the secretary of the public health council, shall be filed in the office of the secretary of state, and a copy thereof shall be sent by the commissioner of health to each local board of health, health officer or person performing the duties of health officer, within the State, and shall be published in such manner as the public health council may from time to time determine. Every provision of the sanitary code shall apply to and be effective in all portions of the State.

SEC. 6. The commissioner of health shall publish and distribute to every health officer in the State, a public health manual, which shall contain all laws relating to the powers and duties of health officials, the sanitary regulations adopted by the public health council and such other information and instructions as he may deem advisable. He shall keep health officials and the general public fully informed in regard to the work of the State department of health and on the progress that is being made in studying the cause and prevention of disease and such kindred subjects as may contribute to the welfare of the people of the State.

SEC. 7. The commissioner of health shall appoint and, subject to the approval of the public health council, fix the compensation of a deputy commissioner of health and directors of divisions. He may also employ such clerical and other assistants as are necessary for the proper performance of the powers and duties of the department and fix their compensation within the amount appropriated therefor. The compensation of the commissioner and employees, the per diem of members of the public health council and other expense of the State department of health shall be paid by the treasurer of state on warrants of the auditor of state when certified by the commissioner of health.

SEC. 8. The commissioner of health and any person authorized by him so to do may, without fee or hindrance, enter, examine and survey all grounds, vehicles, apartments, buildings and places within the State in furtherance of any duty laid upon the State department of health or where he has reason to believe there exists a violation of any health law of this State or of any provision of the sanitary code.

SEC. 9. The commissioner of health and any appointive member of the public health council may be removed by the governor, after a hearing: *Provided*, That charges against him have been submitted, in writing, signed by a majority of the members of the council: *And, provided, further*, That the governor finds such charges to be true

in fact and their nature such that, in his opinion, the best interests of the State shall demand such removal.

SEC. 10. Suitable rooms for conducting the business of the State department of health shall be provided and maintained by the State.

SEC. 11. That original sections 1232, 1233, 1234, 1235 and 1236 of the general code be, and the same are hereby repealed.

State Plumbing Inspector and Deputy Inspectors—Appointment, Powers, and Duties. (Act Mar. 31, 1917.)

SECTION 1. That sections 1261-2, 1261-3, 1261-4, 1261-5, 1261-6, 1261-8, 1261-9, 1261-10, 1261-11, 1261-12, 1261-13 and 1261-15 be amended so as to read as follows:

SEC. 1261-2. It shall be the duty of the State board of health, within 90 days after passage and approval of this act, to appoint an elector of this State to fill the office of State inspector of plumbing, who shall hold office until such time as his successor may be appointed and qualified. The person so appointed must be a plumber with at least 10 years experience. The State board of health may appoint such number of deputy inspectors as the necessities of the work shall require and the appropriations for such inspections will permit. Such deputy inspectors shall be practical plumbers with at least seven years experience, and skilled and well trained in matters pertaining to sanitary regulations concerning plumbing work. The State board of health shall have the power to make and enforce rules and regulations governing plumbing and register those persons engaged in or at the plumbing business to carry out the provisions of this act. Plans and specifications for all sanitary equipment or drainage to be installed in or for buildings coming within the provisions of this act shall be submitted to and approved by the State board of health before the contract for installation of the sanitary equipment or drainage shall be let.

SEC. 1261-3. It shall be the duty of said inspector of plumbing, as often as instructed by the State board of health, to inspect any and all public or private institutions, sanitariums, hospitals, schools, prisons, factories, workshops, or places where men, women or children are or might be employed, and to condemn any and all unsanitary or defective plumbing that may be found in connection therewith, and to order such changes in the method of construction of the drainage and ventilation, as well as the arrangement of the plumbing appliances, as may be necessary to insure the safety of the public health.

Such inspector shall not exercise any authority in municipalities or other political subdivisions wherein ordinances or resolutions have been adopted and are being enforced by the proper authorities regulating plumbing or prescribing the character thereof.

SEC. 1261-4. He shall hold himself in readiness at any and all times to go to any part of the State if so directed by the executive officer of the State board of health, for the purpose of making a sanitary inspection of any building or other place that he has reason to believe is in such a condition as to be a menace to the public health.

SEC. 1261-5. When any building is found to be in a sanitary condition or when changes which are ordered in the plumbing, drainage or ventilation have been made, and after a thorough inspection on approval by said inspector of plumbing, he shall issue a certificate signed by himself and countersigned by the executive officer of the State board of health, which must be posted in a conspicuous place for the benefit of the public at large. Upon notification by said inspector, said certificate shall be revoked for any violation of this act.

SEC. 1261-6. No plumbing work shall be done in this State in any building or place coming within the jurisdiction of the State inspector of plumbing, except in cases of repairs or leaks in existing plumbing, until a permit has been issued by the State inspector of plumbing and the executive officer of the State board of health. Before

granting such permit, an application shall be made by the owner of the property or by the person, firm or corporation who is to do the work. Such application shall be made on blanks prepared for the purpose and each application shall be accompanied by a fee of \$1, and an additional fee of 50 cents for each trap or vented fixture up to and including 10 fixtures, and for each trap or vented fixtures over 10 a fee of 25 cents. The fees so collected shall be paid into the State treasury and credited to the general revenue fund. Whenever a reinspection is made necessary by the failure of the plumbing contractor to have the work ready for inspection when so reported, or by reason of faulty or improper installation, he shall pay a fee of \$10 for each such inspection.

SEC. 1261-8. No inspector so appointed shall, during his term of office, be engaged or interested in the plumbing business or the sale of any plumbing supplies, nor shall he act as agent, directly or indirectly, for any person or persons so engaged.

SEC. 1261-9. The State inspector of plumbing and the deputy State inspectors shall receive such salaries as are fixed by the State board of health. The necessary traveling and other expenses of inspectors while in the performance of their official duties, shall be paid from the fund provided for that purpose.

SEC. 1261-10. State inspectors of plumbing shall have the power between sunrise and sunset to enter any building where there is good and sufficient reason to believe that the sanitary condition of such premises is such as to endanger the public health, for the purpose of making such inspection as may be necessary to ascertain the condition of the same.

SEC. 1261-11. The State inspector of plumbing shall report promptly to the State board of health the condition of all premises inspected by him or by his deputies; also the number of inspections and changes ordered, as well as any other information concerning his office that they may require.

SEC. 1261-12. The State inspector of plumbing shall be provided with a suitable office in the city of Columbus, as well as with all necessary apparatus for making tests, and such furniture, stationery and supplies as the business of his office may require.

SEC. 1261-13. It shall be the duty of any owner, agent or manager, of any building where an inspection is made by said inspector of plumbing, to cause or have the entire system of drainage and ventilation repaired, as he may direct. After due notice to repair such work, it shall be the duty of said owner, agent or manager to notify said inspector of plumbing that such work is ready for his inspection. Failing to have the work ready for inspection at the time specified in such notice, he shall be subject to such penalty as hereinafter provided.

SEC. 1261-15. It shall be the duty of said inspector of plumbing upon receipt of the knowledge that any part of this act has been violated, to go before any justice of the peace within the county, or a justice of the peace, mayor or police judge of the municipality where the offense was committed or the offending person resides, and cause the arrest and prosecution of all persons of whom he has reason to believe are guilty of such violations.

SEC. 2. That said original sections 1261-2, 1261-3, 1261-4, 1261-5, 1261-6, 1261-8, 1261-9, 1261-10, 1261-11, 1261-12, 1261-13, and 1261-15 of the general code be and the same are hereby repealed.

County and District Tuberculosis Hospitals and Dispensaries—Establishment and Maintenance. (Act Mar. 30, 1917.)

SECTION 1. That sections 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3151, and 3153-3 of the general code of Ohio, shall be amended so as to read as follows:

SEC. 3141. In any county where a county hospital for tuberculosis has been erected such county hospital for tuberculosis may be maintained by the county commissioners, and for the purpose of maintaining such hospital the county commissioners shall

annually levy a tax and set aside the sum necessary for such maintenance. Such sum shall not be used for any other purpose. When it shall become necessary to enlarge, repair or improve a county hospital for tuberculosis, the county commissioners shall proceed in the same manner as provided for other county buildings. Plans and estimates of cost for all additions to county hospitals for tuberculosis shall be submitted to and approved by the State board of health and the board of State charities.

SEC. 3142. An accurate account shall be kept of all monies received from patients or from other sources, which shall be applied toward the payment of maintaining a tuberculosis hospital. The county commissioners maintaining a county tuberculosis hospital or the joint board of commissioners, as hereinafter provided for, may receive for the use of the hospital, in its name gifts, legacies, devises, conveyances of real or personal property or money.

SEC. 3143. Instead of joining in the erection of a district hospital for tuberculosis, as hereinafter provided for, the county commissioners may contract with the board of trustees, as hereinafter provided for, of a district hospital, the county commissioners of a county now maintaining a county hospital for tuberculosis or with the proper officer of a municipality where such hospital has been constructed, for the care and treatment of the inmates of such infirmary or other residents of the county who are suffering from tuberculosis. The commissioners of the county in which such patients reside shall pay to the board of trustees of the district hospital or into the proper fund of the county maintaining a hospital for tuberculosis, or into the proper fund of the city receiving such patients, the actual cost incurred in their care and treatment, and other necessities, and they shall also pay for their transportation: *Provided*, That the county commissioners of any county may contract for the care and treatment of the inmates of the county infirmary or other residents of the county suffering from tuberculosis with an association or corporation, incorporated under the laws of Ohio for the exclusive purpose of caring for and treating persons suffering from tuberculosis: but no such contract shall be made until the institution has been inspected and approved by the State board of health, and such approval may be withdrawn and such contracts shall be canceled if, in the judgment of the State board of health, the institution is not managed in a proper manner: *Provided, however*, That if such approval is withdrawn, the board of trustees of such institution may have the right of appeal to the governor and attorney general and their decision shall be final.

SEC. 3144. In any county which has not provided for a county hospital for tuberculosis, or which has not joined in the erection of a district hospital for tuberculosis, the State board of health, upon a proper presentation of the facts, may order any inmate of the infirmary who is suffering from tuberculosis removed to a municipal, county, or district hospital for tuberculosis, but such removal shall not be made without the consent of the inmate, if a suitable place outside of the infirmary, approved by the State board of health, is provided for his or her care and treatment. The State board of health upon a proper presentation of facts, shall also have authority to order removed to a municipal, county or district hospital for tuberculosis, any person suffering from tuberculosis, when in the opinion of the State or a local board of health, such person is a menace to the public and can not receive suitable care or treatment at home: *Provided, however*, That such person shall have the right to remove from the State.

SEC. 3145. The medical superintendent shall investigate applicants for admission to the hospital for tuberculosis who are not inmates of the county infirmary and may require satisfactory proofs that they are in need of proper care and have tuberculosis. The board of trustees may require from any such applicant admitted from the county or counties maintaining the hospital a payment not exceeding the actual cost incurred in their care and treatment, including necessities and cost of transportation, or such less sum as they may deem advisable, owing to the financial condition of the applicant.

SEC. 3146. The district hospital for tuberculosis, as hereinafter provided for, shall be devoted to the care and treatment of those admitted to the county infirmary within the district afflicted with tuberculosis, and of other residents of the district suffering from the disease and in need of proper care and treatment.

SEC. 3147. The State board of health shall have general supervision of county and district hospitals for tuberculosis and shall prescribe and may enforce such rules and regulations for their government as it deems necessary. All persons in charge of or employed at such hospitals or residents thereof, shall faithfully obey and comply with all such rules and regulations. The location, plans and estimates of cost for all district hospitals for tuberculosis or additions thereto shall be submitted to and approved by the State board of health, and the board of State charities.

SEC. 3148. The commissioners of any two or more counties not to exceed 10, may form themselves into a joint board for the purpose of establishing and maintaining a district hospital: *Provided*, There is no municipal tuberculosis hospital therein for care and treatment of persons suffering from tuberculosis; and may provide the necessary funds for the purchase of a site, which site shall be separate and apart from the infirmary boundaries in any county and also may provide for the erection of the necessary buildings thereon: *And provided further*, That where any number of counties have already constructed and are operating a district tuberculosis hospital, counties may join such counties for enlargement and use of such hospital. Any new district or addition to a district shall be approved by the State board of health. Such necessary expenses as may be incurred by the county commissioners in meeting with the commissioners of other counties for consideration of the proposal to establish a district tuberculosis hospital shall be paid from the general fund of the county. After the organization of the joint board such expenses shall be paid from the fund provided for the erection and maintenance of such hospital.

SEC. 3153 [3151]. Subject to the provisions of this chapter, such board of trustees shall prepare plans and specifications and proceed to erect and furnish the necessary buildings for a district hospital for tuberculosis. They shall appoint a suitable person medical superintendent of the hospital, who shall not be removed except for cause and, upon the recommendation of the superintendent, such nurses and other employees as may be necessary for the proper conduct of the hospital. The trustees shall fix the compensation of the medical superintendent and other employees. Subject to the rules and regulations prescribed by the board of trustees, the superintendent shall have entire charge and control of the hospital. The trustees shall serve without compensation, but their necessary expense when engaged in the business of the board shall be paid. The trustees, medical superintendent or nurses of such hospital are authorized to attend conferences where the care, treatment or prevention of tuberculosis is a subject for consideration.

SEC. 3153-3. The board of county commissioners in counties not supporting a tuberculosis hospital or the board of trustees of such hospital shall fix the compensation of such nurses, and may authorize such nurses to attend conferences where the care, treatment or prevention of tuberculosis, public health or nursing are subjects for consideration. Such compensation and the necessary expenses incurred by such nurses shall be paid from the poor fund of the county, or from the funds provided for the hospital for tuberculosis.

SEC. 3153-4. A joint board of county commissioners created by section 3148 of the general code for the purpose of establishing and maintaining a district hospital for tuberculosis may establish and maintain one or more tuberculosis dispensaries in the counties comprising the district and may provide by tax levies or otherwise the necessary funds for their establishment and maintenance.

SEC. 3153-5. In such counties as maintain county hospitals for tuberculosis as provided by section 3141 of the general code or in such counties as have contracts for the care of tuberculosis patients with municipal tuberculosis hospitals located within

their county, the county commissioners may establish and maintain one or more tuberculosis dispensaries in the county and may provide by tax levies or otherwise the necessary funds for their establishment and maintenance.

SEC. 3153-6. In such counties as have not constructed a county hospital for tuberculosis, or joined in the construction of a district tuberculosis hospital, or have not contracted with a municipal tuberculosis hospital, the county commissioners may establish and maintain one or more tuberculosis dispensaries in the county and may provide by tax levies or otherwise the necessary funds for their establishment and maintenance.

SEC. 3153-7. The establishment of any tuberculosis dispensary, as provided for in the foregoing sections shall be approved by the State board of health. The State board of health shall prescribe rules and regulations governing the operation of all such dispensaries and shall prescribe suitable forms and regulations for the reports of all such dispensaries.

SEC. 2. That said original sections 3141, 3142, 3143, 3144, 3145, 3146, 3147, 3148, 3151, 3153-3 of the general code are hereby repealed.

Places Where Foodstuffs Are Manufactured, Prepared, or Sold—Cleanliness. (Act Mar. 29, 1917.)

SECTION 1. That sections 12797 and 12798 of the general code be amended to read as follows:

SEC. 12797. Whoever, being the proprietor, owner or manager of a bakery, confectionery, creamery, dairy, dairy barn, milk depot, laboratory, hotel, restaurant, eating house, packing house, slaughterhouse, ice-cream factory, canning factory or place where a food product is manufactured, packed, stored, deposited, collected, prepared, produced or sold for any purpose, fails to place it in a clean and sanitary condition within 10 days after being duly notified in writing or by posting the notice provided for in the next succeeding section, or fails to keep it in such condition thereafter, shall be fined not less than \$50 nor more than \$200, and, for each subsequent offense, shall be fined not less than \$100 nor more than \$300 or imprisoned in the county jail not less than 30 days nor more than 100 days, or both.

SEC. 12798. It shall be the duty of the inspectors of the secretary of agriculture of the State of Ohio to post in a conspicuous place in such of the places mentioned in the preceding section under their respective jurisdictions as directed by said secretary of agriculture a copy of the sanitary code adopted by it [sic] printed in plain, legible type at any time after the taking effect of this act. Upon said notice shall be stamped or written the date of such posting and such inspector shall make a record of such date in a book provided for that purpose. A certified copy of the record of such posting shall be received as prima facie evidence of such fact in the trial of any cause in any court of this State.

SEC. 2. That original sections 12797 and 12798 of the general code be, and the same are hereby repealed.

Water Supplies—Prevention of Pollution—Construction and Operation of Waterworks Systems. (Act Mar. 30, 1917.)

SECTION 1. That sections 1249, 1250, 1251 and 1259 of the general code be amended to read as follows:

SEC. 1249. Whenever the council or board of health of a city or village, the commissioners of a county, the trustees of a township or 10 of the qualified electors of any city or village set forth in writing to the State board of health, that a city, village, corporation or person is permitting to be discharged sewage or waste matter into a stream, watercourse, lake or pond, and is hereby creating a public nuisance detrimental to health or comfort, or is polluting the source of any public water supply, or that such city or village, having installed and ready for operation a sewage system

and sewage treatment plant, neglects or fails for any reason to construct, erect and put into operation a public water supply and a waterworks distribution system in order to furnish water to the inhabitants of said city or village and to provide sufficient water to flush said sewers and to dispose of the sewage of said city or village, the State board of health shall forthwith inquire into and investigate the conditions complained of.

SEC. 1250. If the State board of health finds that the source of public water supply of a city, village or community is subject to contamination, or has been rendered impure from the discharge of sewage or other waste matter, or in any other manner by a city, village, corporation or person; that such sewage or other waste matter has so corrupted a stream, watercourse, lake or pond so as to give rise to foul and noxious odors, or to conditions detrimental to the health and comfort of those residing in the vicinity thereof; or that a public water supply and a waterworks distribution system should be erected, constructed, installed and put into operation, the State board of health shall notify such city, village, corporation or person causing such contamination or pollution, or failing to so install said public water supply and waterworks distribution system, of its findings and give an opportunity to be heard.

SEC. 1251. After such hearing, if the State board of health determines that such improvements or changes are necessary and should be made, it shall report its findings to the governor and attorney general, and, upon their approval, the board shall notify such city, village, corporation or person to install works or means, satisfactory to the board, for purifying or otherwise disposing of such sewage or other wastes, or to change or enlarge existing works, or to erect, construct, install and put into operation a waterworks distribution system and a public water supply, in a manner satisfactory to the board. Such works or means must be completed and put into operation within the time fixed by the board, which time shall be subject only to the approval of the governor and attorney general. But no city or village discharging sewage into a river which separates the State of Ohio from another State shall be required to install sewage purification works so long as the unpurified sewage of cities or villages of another State is discharging into such river above such city or village of this State.

SEC. 1259. Each municipal council, department or officer having jurisdiction to provide for the raising of revenues by tax levies, sale of bonds or otherwise, shall take all steps necessary to secure the funds for any such purpose or purposes. The council of a municipality, by an affirmative vote of not less than two-thirds of the members elected or appointed thereto, by ordinance shall issue and sell bonds in such amounts and denominations, for such period of time, and at such rate of interest, not exceeding 6 per cent per annum, as said council shall determine and in the manner provided by law, in order to provide the funds necessary and proper to carry out and perform all of the conditions of said finding and order and to make and install any or all of the improvements and changes herein provided, and the question of the issuance and sale of said bonds shall be submitted to a vote of the electors. When the funds are so secured, or the bonds thereof have been authorized by the proper municipal authority, such funds shall be considered as in the treasury and appropriated for such particular purpose or purposes, and shall not be used for any other purpose. The bonds authorized to be issued for any such purpose or purposes, in any one year, shall not exceed 6 per cent of the total value of all property in any city or village, as listed and assessed for taxation, and shall be in addition to the total bonded indebtedness of such city or village otherwise permitted by law, and as to such bonds the limitations of sections 3940, 3941 and 3952 of the general code shall not in any manner apply or prevent or delay the issuance and sale of said bonds. The interest and sinking fund levies on account of bonds issued under this section by any municipal corporation, in compliance with said orders of the State board of health, shall be exempt from all limitations on tax levies provided by sections 5649-2, 5649-3a and 5649-5b of the general code.

SEC. 2. That said original sections 1249, 1250, 1251 and 1259 of the general code be, and the same are hereby, repealed.

Water Supplies—Construction, Maintenance, and Operation in Counties. (Act Mar. 29, 1917.)

SECTION 1. For the purpose of preserving and promoting the public health and welfare, and providing fire protection, the boards of county commissioners of the several counties of this State may, by resolution, construct, maintain, and operate any public water supply or waterworks system within their respective counties, not outside of any established sewer district. In this act "public water supply" shall mean any or all of the following: Wells, springs, streams, or other source of water supply, pumping equipment, treatment or purification plants, distributing mains, cisterns, reservoirs, necessary equipment for fire protection, other equipment, and lands, rights of way and easements, necessary for the proper development and distribution of the supply. Any board of county commissioners may construct, maintain and operate such public water supply and may provide for the protection thereof and prevent the pollution and unnecessary waste thereof. By contract with any municipal corporation, or any person, firm or private corporation furnishing a public water supply within or without their county, they may provide such supply of water to such sewer district or districts from the waterworks of such municipality, person, firm or private corporation. The sanitary engineer, if any, or sanitary engineering department, if any, of such county shall, in addition to other duties assigned to such engineer or department assist the commissioners in the performance of their duties under this act, and shall be charged with such other duties and services in relation thereto as the commissioners may prescribe. The board of county commissioners may make, publish and enforce rules and regulations for the construction, maintenance, protection and use of public water supplies in their respective counties outside of incorporated municipalities, including the establishment of connections. Such rules and regulations shall not be inconsistent with the laws of the State of Ohio or the rules and regulations of the State board of health. No public water supplies or water pipes or mains shall be constructed in any county outside of incorporated municipalities by any person, firm, or corporation, except for the purpose of supplying water to such incorporated municipalities, until the plans and specifications for the same shall have been approved by the board of county commissioners, and any such construction shall be done under the supervision of the county sanitary engineer, and any person, firm, or corporation, proposing or constructing such improvements, shall pay to the county all expense incurred by the commissioners in connection therewith.

The sanitary engineer shall have the right to enter upon any public or private property for the purpose of making surveys and examinations necessary for the design or examination of public water supplies, and to make such surveys and examinations. No person, firm, or corporation shall forbid or interfere with the sanitary engineer or his duly authorized assistants entering upon such property for such purpose, or making such surveys or examinations. If, however, actual damage is done to property by the making of such surveys and examinations, the commissioners shall pay the reasonable value of such damage to the owner of the property damaged and such cost shall be included in the assessment upon the property benefited by the improvement for which such surveys and examinations are made. Any person or persons violating any provision of this act or any rules or regulations herein provided for shall be liable to a fine not exceeding \$100, to be paid on conviction of such violation. All fines imposed and collected shall be paid to the county treasurer and credited to such fund as the commissioners may determine. The commissioners may fix reasonable rates to be charged for water, when the source of supply or distributing pipes are owned by the county or district. When the source of supply is owned by a municipal corporation, or any person, firm or private corporation, the schedule of rates to be charged by such municipal corporation, person, firm or private corporation shall be ratified by the board of county commissioners at the time any contract is entered into for the

use of water from such municipal corporation, person, firm or private corporation. All money collected as rents or for waterworks purposes from any district shall be paid to the county treasurer and kept in a separate and distinct fund to the credit of such district. Such fund shall be applied first to the conduct, management and operation of such water supply or waterworks system, and any surplus thereafter remaining shall be applied to the enlargement or extension thereof, to the payment of interest or principal of any loan, indebtedness or liability incurred in connection therewith, or for the creation of a sinking fund for the liquidation of any debt created in connection therewith; but in no case shall money so collected be expended otherwise than for the use and benefit of such district.

SEC. 2. After the establishment of any sewer district the county commissioners may have prepared by the county sanitary engineer a general plan of water supply and waterworks for such district as complete as can be made at that time. After such general plan has been approved by them they shall have prepared by the county sanitary engineer detailed plans, specifications and estimates of cost of such part or parts of the improvement as it is necessary to then construct. Such detailed plans, specifications and estimates of cost, as so prepared by the engineer and approved by the board, shall be carefully preserved in the office of the board of county commissioners or the county sanitary engineer and shall be open to inspection of all persons interested in such improvements. After approval of the detailed plans, specifications and estimates of cost, the board of county commissioners shall adopt a resolution declaring that such improvement or improvements, describing the same and the location, route and termini thereof, are necessary for the preservation and promotion of public health and welfare and providing fire protection, designating the character of the materials to be used, referring to the plans, specifications and estimates of cost, stating the place where they are on file and may be examined, the estimated cost of the maintenance of such improvement for one year, what part of the cost will be paid by the county at large and what part will be specially assessed against the benefited property within the sewer district. Such resolution shall also contain a description of the boundaries of that part of the sewer district to be assessed. The board of county commissioners shall cause such resolution to be published once a week for two consecutive weeks in a newspaper published and of general circulation within the county.

SEC. 3. After the expiration of 10 days from the completion of such publication the board of county commissioners shall determine whether they will proceed with the construction of such improvement or improvements, and if they shall decide to proceed therewith, a resolution, to be known as the improvement resolution, shall be adopted by such board. Said improvement resolution shall declare the determination of such board to proceed with the construction of the improvement or improvements provided for in the resolution mentioned in section 2 in accordance with the plans and specifications provided for such improvement or improvements, and whether bonds shall be issued in anticipation of the collection of special assessments, as hereinafter provided, or that money in the county treasury unappropriated for any other purpose be appropriated to pay for said improvement or improvements.

SEC. 4. For the purpose of paying a part or the whole of the cost of construction, maintenance, repair or operation of any improvement provided for in this act or for paying the sanitary engineer and for paying for his assistants and all his other necessary expenses, the board of county commissioners may borrow money at a rate of not exceeding 6 per cent per annum on certificates of indebtedness to be signed by its president and clerk; such certificates of indebtedness shall be made payable at a time not more than 5 years from their date, or for such purposes the board of county commissioners may issue bonds as herein provided, or may appropriate money from any funds in the county treasury available. After the adoption of the improvement resolution, to provide means to pay the cost of any such improvement, the board of county commissioners shall, by resolution of said board, appropriate money from any

funds in the county treasury available for that purpose or, when necessary, may authorize the issue of bonds of the county in an amount not exceeding the estimated cost thereof, plus such amount as shall be necessary to pay the installments of interest, on such bonds or on certificates of indebtedness to accrue before the first installment of taxes and assessments hereinafter provided for shall be collected. Such bonds shall state the particular improvement or improvements on account of which they are issued and the date of resolution or order of the board directing their issuance. Such bonds may bear interest at a rate not exceeding 6 per cent per annum, payable semi-annually, may be of such denominations and payable at such time and place as the board of county commissioners shall provide, and may be issued from time to time as the work progresses and advertised and sold as other county bonds are required to be advertised and sold.

SEC. 5. After the adoption of the resolution providing for the issuance of bonds, as herein provided, the board of county commissioners shall enter into a written contract with the lowest and best bidder for the construction of such improvement or improvements, after advertising for sealed proposals for such construction not less than two or more than four consecutive weeks in a newspaper published and of general circulation within the county. The bids shall be opened at 10 o'clock a. m., on the last day for filing the same, by the board of county commissioners and publicly read. Each bid shall contain the full name of each person or company interested in the same, and shall be accompanied by a bond or certified check on some solvent bank within the county, conditioned that, if the bid is accepted, a contract will be entered into and its performance properly secured, as shall be stated in the advertisements and proposals. In each bid the price of labor and materials shall be separately stated. Such board may reject any and all bids. The contract shall be between the board of county commissioners and the bidder, and the board shall pay the contract price in cash. When there is reason to believe that there is collusion or combination among the bidders, the bids of those concerned therein shall be rejected. Whenever it becomes necessary, in the opinion of such board, in the prosecution of any such work or improvements, to make alterations or modifications in such contract, such alterations or modifications shall only be made by such board by resolution, and such resolution shall be of no effect until the prices to be paid for work or material or both, caused by such alterations or modifications, shall have been agreed upon in writing, and signed by the contractor and said board, and no contractor for any such work shall be allowed to recover anything for additional work or materials required by any alterations or modifications nor for any other cause due to such alterations or modifications unless such contract is made as aforesaid, nor shall he in any event be allowed to recover for such work or materials, or other cause, more than the agreed price. The requirement of a certificate by the auditor, as provided for in section 5660 of the general code, shall not apply to such contract, and the money to be derived from the lawfully authorized bonds to be sold as hereinbefore provided shall for all purposes be deemed in the treasury and in the appropriate fund, after the passage of the resolution authorizing the issue of the bonds, and the amount of the bonds so authorized to be sold shall not thereafter be considered unappropriated until the county is fully discharged from such contract or contracts.

SEC. 6. Whenever the owners of all the lots and lands to be benefited by, and to be assessed for, any water supply or waterworks system, herein provided for, shall, by petition in writing, request the board of county commissioners to provide for the construction, maintenance and operation of any such improvements, describing the improvement or improvements desired and the lots and lands owned by them respectively to be assessed to pay the cost and maintenance of such improvement or improvements, and consenting that their said lots and lands may be assessed to pay the cost of such improvement and of maintenance and operation as in this act provided, and shall waive the publication of all resolutions and legal notices provided

for in this act, the board of county commissioners shall have prepared the necessary plans, specifications and estimates of cost of construction, maintenance, and operation thereof, and an estimated assessment, and when all of the owners of the lots and lands to be benefited by and assessed for the proposed improvement shall in writing state that they have examined the estimated cost and estimated assessment as made by the county sanitary engineer, that they have no objections thereto, and that they waive their right or option to pay same in cash, then the board of county commissioners shall proceed, as in this act provided, to cause such improvement to be constructed and provisions to be made for the payment of the cost of construction, maintenance and operation, as in this act provided, except that none of the publications herein provided for need be made nor any opportunity be given for filing of objections to the improvement or to the assessment or for paying the same in cash, and the board of county commissioners shall forthwith proceed to authorize and issue bonds and to levy and collect the assessments herein authorized.

SEC. 7. The cost of any improvement herein provided for and the cost of the maintenance and operation thereof, shall include, in addition to the cost of construction, the cost of engineering, necessary publications, inspection, interest on certificates of indebtedness or on bonds, and all other items of cost incident to such improvement. The county may pay any part of the cost of the improvement in this act provided for and of the maintenance and operation thereof if the board of county commissioners may deem such payment just.

SEC. 8. In the construction of a main, branch, or reinforcing pipe line or pipe lines and such water supply, the property immediately abutting upon such main, branch, or reinforcing pipe line or pipe lines shall be assessed for local service, and the balance of the cost and expense of such improvement to be paid by assessments shall be assessed, as a district assessment, upon all the property, including the abutting property, within said district proportionately and in accordance with the special benefits conferred, less such part of said cost as shall be paid by the county at large. In the construction of a local pipe line the entire cost and expense of construction and maintenance may be assessed proportionately upon the benefited property abutting thereon according to special benefits conferred.

SEC. 9. Upon the completion of any such improvement or improvements, the actual cost thereof shall be ascertained and to such actual cost shall be added an amount equal to the interest accrued and to accrue upon certificates of indebtedness and upon bonds herein authorized before the first installment of such assessment shall be collected, and the sum so arising, less the portion thereof to be paid by the county at large, shall be assessed against the lots and parcels of land within such district found to be benefited by such improvement, payable in not exceeding 20 annual installments: *Provided*, That the amount assessed against any lot or parcel of land may be paid within 30 days from the confirmation of the assessments as herein provided. For the purpose of paying the sanitary engineer and for paying his assistants and all of his other necessary expenses and for the purpose of paying that part of the cost of the improvement or improvements to be paid by the county, or of the interest to accrue thereon, the board of county commissioners may levy taxes, in addition to all other taxes authorized by law. Such levy shall be subject to all the limitations provided by law upon the aggregate amount, rate, maximum rate, and combined maximum rate of taxation.

SEC. 10. The county sanitary engineer, upon the completion of any improvement, shall prepare and present to the board an estimated assessment in proportion, as nearly as may be, to the benefits resulting from such improvement or improvements to such lots and lands, respectively. The board of county commissioners shall cause notice to be published once a week for two consecutive weeks in a newspaper published and of general circulation within the county, that such estimated assessments has [sic] been made and is on file in the office of such board and that the same may be

examined by all persons interested. Such notice shall contain a description of the lots or parcels of land within said district to be assessed and shall designate a time and place, to be fixed by such board, when and where objections to the apportionment made in such estimated assessment will be heard by the board. Any such objections shall be in writing and shall be filed within 10 days after the date of the last publication of such notice. At the time and place designated for such hearing, or at any other time or times to which such hearing may be adjourned, the board shall consider any such objections and hear and consider any competent evidence concerning any such objections and shall determine any questions involved and may, if deemed proper, amend such estimated assessment and shall approve and confirm the same as made or as so amended, and when so confirmed the same shall be final and conclusive. The board of county commissioners may, from time to time and at such intervals as they may deem expedient, assess the lots and parcels of land specified in said notice of assessment and levy taxes upon the taxable property of the district so improved, to pay the cost of the maintenance and operation of any such improvement or improvements, after completion thereof, and the method and manner of making such assessment, together with the notice thereof, shall be the same as provided herein for the original assessment.

SEC. 11. On or before the second Monday in September, annually, the board of county commissioners shall certify all of said assessments to the county auditor, stating the amounts and the time of payment thereof, and in accordance therewith the county auditor shall record the same in a book to be known as the "waterworks record" of said county. Such assessment shall bear interest, payable annually, at the same rate that the bonds hereinbefore authorized shall bear, and shall be a lien upon the lots and lands so assessed from the date of such record until such assessments shall be paid. The several installments of such assessment shall be placed upon the tax duplicate of the county for collection as they become due, and shall be collected the same as other taxes, and shall be subject to the same penalties, and when collected shall be applied respectively to the purposes for which such assessments have been made and to no other purpose.

SEC. 12. Whenever the State board of health shall find that it is necessary for the public health and welfare that any improvement mentioned in this act shall be constructed, maintained, and operated for the service of any territory outside of municipalities in any county or counties, said board of health shall notify the board or boards of county commissioners of such county or counties of their finding and shall proceed as provided in sections 1250 and 1251 of the general code, and the commissioners shall obey such order and proceed, as hereinbefore provided, to establish such districts, provide necessary funds, and construct such public water supplies, or maintain, repair, or operate the same, as may be required by such order and in such manner as may be satisfactory to the State board of health. Any or all of the cost of such improvement or maintenance may be assessed upon the property benefited as provided in this act.

SEC. 13. If any order made by the State board of health in such manner and approved by the governor and attorney general of the State, shall not be acceptable to such board or boards of county commissioners such board or boards shall have the right of appeal and reference provided for in section 1257 of the general code and the procedure in such cases shall be as provided in said section 1257 and section 1258 of the general code, and all expenses incurred in, or in relation to, such appeal and reference shall be provided for and paid by the board or boards of county commissioners so appealing.

SEC. 14. If the members of the board of county commissioners, department or officer of a county, fail or refuse, after a period of 30 days, after the notice and order given him or them by the State board of health, approved by the governor and attorney general, to perform any act or acts required of him or them by this act and by any

such order and notice of the State board of health, he or they shall be personally liable for such default and, on order of the State board of health, shall forfeit and pay to the State board of health \$500 to be deposited with the State treasurer to the credit of the said State board of health. The governor and attorney general, upon good cause shown, may, in their discretion, remit such penalty or any part thereof.

SEC. 15. An action may be commenced and prosecuted for the recovery of any fine, forfeiture or penalty, mentioned in this act, from any person or persons liable therefor, by the prosecuting attorney of the proper county in the name of the State, in the court of common pleas of such county, or such action may be commenced and prosecuted by the attorney general of the State in such county or in the county of Franklin, as provided by law.

SEC. 16. At any time after the formation of any sewer district, the board of county commissioners, when deemed expedient, may, on application by individuals or public institutions, outside of any sewer district, contract with such individuals or public institutions for supplying water to their premises on such terms and conditions as shall be by such board of county commissioners deemed equitable, and such board of county commissioners, in any such case, shall appropriate any moneys received for such service to and for the use and benefit of such sewer district.

SEC. 17. Whenever, in the opinion of the board of county commissioners, it is necessary to procure real estate, right of way or easement for any water supply, waterworks, or other improvement authorized by the provisions of this act, they may purchase the same or if such board and the owner or owners thereof are unable to agree upon its purchase and sale, or the amount of damage to be awarded therefor, the board of county commissioners may appropriate such real estate, right of way or easement and for such purpose they shall cause an accurate survey and description to be made of the parcel of land needed for such purpose or purposes and shall file it with the probate judge of the county; thereupon the same proceedings shall be had as are provided for the appropriation of private property by municipal corporations. In the construction, maintenance, and operation of any water supply or waterworks system, as herein provided, the necessary resolutions, waivers and notices, herein provided for, may be passed, made and given at the same time, or may be included in any similar resolution, waiver, or notice passed, made or given for the construction, maintenance and operation of any sewer or sewage disposal works in the same district.

Sewer Districts in Counties—Establishment—Sewage Disposal—Appointment and Duties of County Sanitary Engineer. (Act Mar. 29, 1917.)

SECTION 1. For the purpose of preserving and promoting the public health and welfare, the boards of county commissioners of the several counties of this State may, by resolution, lay out, establish and maintain one or more sewer districts within their respective counties, outside of incorporated municipalities. Each such district shall be designated by an appropriate name or number. Any board of county commissioners may construct, maintain and operate such main, branch, intercepting, or local sewer or sewers within any such sewer district, and such outlet sewer or sewers and sewage treatment or disposal works within or without such sewer district, as may be necessary to care for and conduct the sewage or surface water from all parts of such sewer district to a proper outlet, so as to properly treat or dispose of same. Any such board of county commissioners may employ a competent sanitary engineer for such time or times and on such terms as they deem best; and, in any county having a population exceeding 100,000, the board of county commissioners may create and maintain a sanitary engineering department, to be under their supervision and in charge of a competent sanitary engineer, to be appointed by such board of county commissioners, for the purpose of aiding them in the performance of their duties under this act or their other duties regarding sanitation provided by law; and said board shall provide suitable rooms for the use of such department and shall provide

for and pay the compensation of such engineer and all necessary expenses of such engineer and department which may be authorized by such board. Any such sanitary engineer in charge of such sanitary engineering department, so appointed by such board of county commissioners, may, with the approval of such board, appoint necessary assistants and clerks, and the compensation of any such assistants and clerks shall be fixed and paid by such board. The board of county commissioners may make, publish and enforce rules and regulations for the construction, maintenance, protection and use of sewers and sewer improvements in their respective counties outside of incorporated municipalities, including the establishment of connections. Such rules and regulations shall not be inconsistent with the laws of the State of Ohio or the rules and regulations of the State board of health.

No sewers or sewage treatment works shall be constructed in any county outside of incorporated municipalities by any person, firm, or corporation, until the plans and specifications for the same shall have been approved by the board of county commissioners, and any such construction shall be done under the supervision of the county sanitary engineer, and any person, firm or corporation, proposing or constructing such improvements, shall pay to the county all expense incurred by the commissioners in connection therewith. The sanitary engineer shall have the right to enter upon any public or private property for the purpose of making surveys or examinations necessary for the laying out of sewer districts or designing or examining sewers or treatment works, and to make such surveys and examinations. No person, firm, or corporation shall forbid or interfere with the sanitary engineer or his duly authorized assistants entering upon such property for such purpose or [of] making such surveys or examinations. If, however, actual damage is done to property by the making of such surveys and examinations, the commissioners shall pay the reasonable value of such damage to the owner of the property damaged, and such cost shall be included in the assessment upon the property benefited by the improvement for which such surveys and examinations are made. Any person or persons violating any provision of this act or any rules or regulations herein provided for shall be liable to a fine not exceeding \$100 to be paid on conviction of such violation. All fines imposed and collected shall be paid to the county treasurer and credited to any county sewer improvement or maintenance fund as the county commissioners shall direct.

SEC. 2. After the establishment of any such sewer district the county commissioners shall have prepared by the county sanitary engineer a general plan of sewerage and sewage disposal for such district, as complete as can be made at that time. After such general plan has been approved by them they shall have prepared by the county sanitary engineer, detailed plans, specifications and estimates of cost of such part or parts of the improvement as it is necessary to then construct. Such detailed plans, specifications and estimates of cost, as so prepared by the engineer and approved by the board, shall be carefully preserved in the office of the board of county commissioners or the county sanitary engineer and shall be open to inspection of all persons interested in such improvements. After approval of the detailed plans, specifications and estimates of cost, the board of county commissioners shall adopt a resolution declaring that such improvement or improvements, describing the same and the location, route and termini thereof, are necessary for the preservation and promotion of public health and welfare, designating the character of the materials to be used, referring to the plans, specifications and estimates of cost, stating the place where they are on file and may be examined, the estimated cost of the maintenance of such improvement for one year, what part of the cost will be paid by the county at large and what part will be specially assessed against the benefited property within the sewer district. Such resolution shall also contain a description of the boundaries of that part of the sewer district to be assessed. The board of county commissioners shall cause such resolution to be published once a week for two consecutive weeks in a newspaper published and of general circulation within the county.

SEC. 3. After the expiration of 10 days from the completion of such publication the board of county commissioners shall determine whether they will proceed with the

construction of such improvement or improvements, and, if they shall decide to proceed therewith, a resolution, to be known as the improvement resolution, shall be adopted by such board. Said improvement resolution shall declare the determination of such board to proceed with the construction of the improvement or improvements provided for in the resolution mentioned in section 2, in accordance with the plans and specifications provided for such improvement or improvements, and whether bonds shall be issued in anticipation of the collection of special assessments, as herein-after provided, or that money in the county treasury unappropriated for any other purpose be appropriated to pay for said improvement or improvements.

SEC. 4. For the purpose of paying a part or the whole of the cost of construction, maintenance, repair or operation of any improvement provided for in this act or for paying the sanitary engineer provided for under the provisions of this act, and for paying for his assistants and all his other necessary expenses, the board of county commissioners may borrow money at a rate of not exceeding 6 per cent per annum on certificates of indebtedness to be signed by its president and clerk; such certificates of indebtedness shall be made payable at a time not more than 5 years from their date, or, for such purposes, the board of county commissioners may issue bonds as herein provided, or may appropriate money from any funds in the county treasury available. After the adoption of the improvement resolution, to provide means to pay the cost of any such improvement, the board of county commissioners shall, by resolution of said board, appropriate any funds in the county treasury available for that purpose or, when necessary, may authorize the issue of bonds of the county in an amount not exceeding the estimated cost thereof, plus such amount as shall be necessary to pay the installments of interest on such bonds or on certificates of indebtedness to accrue before the first installment of taxes and assessments hereinafter provided for shall be collected. Such bonds shall state the particular improvement or improvements on account of which they are issued and the date of resolution or order of the board directing their issuance. Such bonds may bear interest at a rate not exceeding 6 per cent per annum, payable semiannually, may be of such denominations and payable at such time and place as the board of county commissioners shall provide and may be issued from time to time as the work progresses and advertised and sold as other county bonds are required to be advertised and sold.

SEC. 5. After the adoption of the resolution providing for the issuance of bonds, as herein provided, the board of county commissioners shall enter into a written contract with the lowest and best bidder for the construction of such improvement or improvements, after advertising for sealed proposals for such construction not less than two nor more than four consecutive weeks in a newspaper published and of general circulation within the county. The bids shall be opened at 10 o'clock a. m., on the last day for filing the same, by the board of county commissioners and publicly read. Each bid shall contain the full name of each person or company interested in the same, and shall be accompanied by a bond or certified check on some solvent bank within the county, conditioned that, if the bid is accepted, a contract will be entered into and its performance properly secured, as shall be stated in the advertisements and proposals. In each bid the price of labor and materials shall be separately stated. Such board may reject any and all bids. The contract shall be between the board of county commissioners and the bidder, and the board shall pay the contract price in cash. When there is reason to believe that there is collusion or combination among the bidders, the bids of those concerned therein shall be rejected. Whenever it becomes necessary, in the opinion of such board, in the prosecution of any such work or improvements, to make alterations or modifications in such contract, such alteration or modifications shall only be made by such board by resolution, and such resolution shall be of no effect until the prices to be paid for work or material or both, caused by such alteration or modifications, shall have been agreed upon in writing, and signed by the contractor and said board, and no contractor for any such work shall be allowed to recover anything for additional work or materials required by any alterations or modifications nor for any other cause due to such

alterations or modifications unless such contract is made as aforesaid, nor shall he in any event be allowed to recover for such work or materials, or other cause, more than the agreed price. The requirement of a certificate by the auditor, as provided for in section 5660 of the general code, shall not apply to such a contract, and the money to be derived from the lawfully authorized bonds to be sold as hereinbefore provided shall for all purposes be deemed in the treasury and in the appropriate fund, after the passage of the resolution authorizing the issue of the bonds, and the amount of the bonds so authorized to be sold shall not thereafter be considered unappropriated until the county is fully discharged from such contract or contracts.

SEC. 6. Whenever the owners of all of the lots and lands to be benefited by, and to be assessed for, any sewer improvement or sewage treatment works, herein provided for, shall, by petition in writing, request the board of county commissioners to provide for the construction, maintenance and operation of any such improvements, describing the improvement or improvements desired and the lots and lands owned by them respectively to be assessed to pay the cost and maintenance of such improvement or improvements, and consenting that their said lots and lands may be assessed to pay the cost of such improvement and of maintenance and operation as in this act provided, and shall waive the publication of all resolutions and legal notices provided for in this act, the board of county commissioners shall have prepared the necessary plans, specifications and estimates of cost of construction, maintenance and operation thereof, and an estimated assessment, and when all of the owners of the lots and lands to be benefited by and assessed for the proposed improvement shall in writing state that they have examined the estimated cost and estimated assessment as made by the county sanitary engineer, that they have no objection thereto, and that they waive their right or option to pay same in cash, then the board of county commissioners shall proceed, as in this act provided, to cause such improvement to be constructed and provision to be made for the payment of the cost of construction, maintenance and operation, as in this act provided, except that none of the publications herein provided for need be made nor any opportunity be given for filing of objections to the improvement or to the assessment or for paying the same in cash, and the board of county commissioners shall forthwith proceed to authorize and issue bonds and to levy and collect the assessments herein authorized.

SEC. 7. The cost of any improvement herein provided for and the cost of the maintenance and operation thereof, shall include, in addition to the cost of construction, the cost of engineering, necessary publications, inspection, interest on certificates of indebtedness or on bonds, and all other items of cost incident to such improvement. The county may pay any part of the cost of the improvement in this act provided for and of the maintenance and operation thereof if the board of county commissioners may deem such payment just.

SEC. 8. In the construction of a main, branch, or intercepting sewer or sewers and such treatment or disposal works, the property immediately abutting upon such main, branch, or intercepting sewer shall be assessed for local drainage, and the balance of the cost and expense of such improvement to be paid by assessment shall be assessed, as a district assessment, upon all the property, including the abutting property, within said district proportionately, and in accordance with the special benefits conferred, less such part of said cost as shall be paid by the county at large. In the construction of a local sewer the entire cost and expense of construction and maintenance may be assessed, proportionately, upon the benefited property abutting thereon, according to special benefits conferred.

SEC. 9. Upon the completion of any such improvement or improvements the actual cost thereof shall be ascertained and to such actual cost shall be added an amount equal to the interest accrued and to accrue upon certificates of indebtedness and upon bonds herein authorized before the first installment of such assessment shall be collected, and the sum so arising, less the portion thereof to be paid by the county at

large, shall be assessed against the lots and parcels of land within such district found to be benefited by such improvement, payable in not exceeding 20 annual installments: *Provided*, That the amount assessed against any lot or parcel of land may be paid within 30 days from the confirmation of the assessments as herein provided. For the purpose of paying the sanitary engineer provided for under the provisions of this act and for paying his assistants and all of his other necessary expenses and for the purpose of paying that part of the cost of the improvement or improvements to be paid by the county or of the interest to accrue thereon, the board of county commissioners may levy taxes, in addition to all other taxes authorized by law. Such levy shall be subject to all the limitations provided by law upon the aggregate amount, rate, maximum rate and combined maximum rate of taxation.

SEC. 10. The county sanitary engineer, upon the completion of any such improvement, shall prepare and present to the board an estimated assessment, in proportion, as nearly as may be, to the benefits resulting from such improvement or improvements to such lots and lands respectively. The board of county commissioners shall cause notice to be published once a week for two consecutive weeks in a newspaper published and of general circulation within the county, that such estimated assessment has been made and is on file in the office of such board and that the same may be examined by all persons interested. Such notice shall contain a description of the lots or parcels of land within said district to be assessed, and shall designate a time and place, to be fixed by such board, when and where objections to the apportionment made in such estimated assessment will be heard by the board. Any such objections shall be in writing and shall be filed within 10 days after the date of the last publication of such notice. At the time and place designated for such hearing, or at other time or times to which such hearing may be adjourned, the board shall consider any such objections and hear and consider any competent evidence concerning any such objections and shall determine any questions involved and may, if deemed proper, amend such estimated assessment and shall approve and confirm the same as made or as so amended, and, when so confirmed, the same shall be final and conclusive. The board of county commissioners may, from time to time and at such intervals as they may deem expedient assess the lots and parcels of land specified in said notice of assessment and levy taxes upon the taxable property of the district so improved, to pay the cost of the maintenance and operation of any such improvement or improvements, including disposal of sewage, after completion thereof, and the method and manner of making said assessment, together with the notice thereof, shall be the same as provided herein for the original assessment.

SEC. 11. On or before the second Monday in September, annually, the board of county commissioners shall certify all of said assessments to the county auditor, stating the amounts and the time of payment thereof, and in accordance therewith the county auditor shall record the same in a book to be known as the "sewer improvement record" of said county. Such assessment shall bear interest, payable annually, at the rate that the bonds hereinbefore authorized shall bear, and shall be a lien upon the lots and lands so assessed from the date of such record until such assessment shall be paid. The several installments of such assessments shall be placed upon the tax duplicate of the county for collection as they become due, and shall be collected the same as other taxes, and shall be subject to the same penalties, and when collected shall be applied respectively to the purposes for which such assessments have been made and to no other purpose.

SEC. 12. Whenever the State board of health shall find that it is necessary for the public health and welfare, that sewer improvements or sewage treatment or disposal works shall be constructed, maintained and operated for the service of any territory outside of municipalities in any county or counties, said board of health shall notify the board or boards of county commissioners of such county or counties of their finding and shall proceed as provided in sections 1250 and 1251 of the general

code, and the commissioners shall obey such order and proceed, as hereinbefore provided, to establish such districts, provide necessary funds, and construct such sewers or treatment works, or maintain, repair or operate the same, as may be required by such order and in such manner as may be satisfactory to the State board of health. Any or all of the cost of such improvement or maintenance may be assessed upon the property benefited as provided in this act.

SEC. 13. If any order, made by the State board of health in such manner and provided [approved?] by the governor and attorney general of the State, shall not be acceptable to such board or boards of county commissioners, such board or boards shall have the right of appeal and reference provided for in section 1257 of the general code and the procedure in such cases shall be as provided in said section 1257 and section 1258 of the general code, and all expenses incurred in, or in relation to, such appeal and reference shall be provided for and paid by the board or boards of county commissioners so appealing.

SEC. 14. If the members of the board of county commissioners, department or officer of a county, fail or refuse, after a period of 30 days, after the notice and order given him or them by the State board of health, approved by the governor and attorney general, to perform any act or acts required of him or them by this act and by any such order and notice of the State board of health, he or they shall be personally liable for such default and, on order of the State board of health, shall forfeit and pay to the State board of health \$500 to be deposited with the State treasurer to the credit of the said State board of health. The governor and attorney general, upon good cause shown, may, in their discretion, remit such penalty or any part thereof.

SEC. 15. An action may be commenced and prosecuted for the recovery of any fine, forfeiture or penalty, mentioned in this act, from any person or persons liable therefor, by the prosecuting attorney of the proper county in the name of the State, in the court of common pleas of such county, or such action may be commenced and prosecuted by the attorney general of the State in such county or in the county of Franklin, as provided by law.

SEC. 16. At any time after the formation of any sewer district, the board of county commissioners, when deemed expedient, may, on application by individuals or public institutions, contract with such individuals or public institutions for depositing sewage from premises outside such district in the sewers constructed or to be constructed to serve such district and for treatment or disposal thereof, on such terms and conditions as shall be by such board of county commissioners deemed equitable, and such board of county commissioners, in any such case, shall appropriate any moneys received for such service to and for the use and benefit of such sewer district.

SEC. 17. Whenever, in the opinion of the board of county commissioners, it is necessary to procure real estate, right of way or easement for any sewer or other improvement authorized by the provisions of this act, they may purchase the same, or if such board and the owner or owners thereof are unable to agree upon its purchase and sale, or the amount of damages to be awarded therefor, the board of county commissioners may appropriate such real estate, right of way or easement and for such purpose they shall cause an accurate survey and description to be made of the parcel of land needed for such purpose or purposes and shall file it with the probate judge of the county; thereupon the same proceedings shall be had as are provided for the appropriation of private property by municipal corporations.

SEC. 18. This act shall supersede all sections and parts of sections, or acts and parts of acts not herein expressly repealed which are inconsistent herewith: *Provided, however,* That all sewer improvements and sewage treatment works now in process of construction, or the legislation for which had heretofore been started by the board of county commissioners of any county, may be constructed and paid for as provided and authorized by the law in force at the time of starting such legislation. No assess-

ments or taxes heretofore levied and no certificates of indebtedness or bonds heretofore issued or sold under authority of any law hereby repealed shall be invalidated or affected by any repeal herein provided.

SEC. 19. That sections 6602-1, 6602-2, 6602-3, 6602-4, 6602-5, 6602-6, 6602-7, 6602-8, 6602-9a, 6602-9b, 6602-9c, 6602-9d and 6602-9e of the general code of Ohio be, and the same are hereby repealed.

Sewers and Sewage Disposal Plants—Joint Use by Counties and Municipalities.
(Act Mar. 19, 1917.)

SECTION 1. That the board of county commissioners of any county in this State or the council of any city or village may enter into a contract, upon such terms and conditions, and for such period of time, as may be mutually agreed upon, with any other county, city or village, to prepare all necessary plans and estimates of cost, to connect any sewer or sewers of such county, city or village, with any sewer or sewers constructed, or to be constructed, by any other county, city or village, and to provide for the joint use by such contracting parties of such sewer or sewers and of any sewage treatment or disposal works of such county, city or village.

SEC. 2. All such contracts shall provide for payment, to the county, city or village owning, constructing, or about to construct a sewer, sewers, or sewage treatment or disposal works, to be so jointly used, of the amount agreed upon, by the county, city or village so contracting for the joint use thereof: *Provided, however,* That any such county, city or village owning, constructing, or agreeing to construct any such sewer improvement or sewage treatment works, as provided herein, and permitting the use thereof by such other county, city or village, shall retain full control and management of the construction, maintenance, repair and operation of such sewer improvement and sewage treatment or disposal works: *And, provided, further,* That any such contract, before going into effect, shall be approved by the Ohio State Board of Health.

SEC. 3. That the county, city or village so contracting for the joint use of any sewer, sewers or sewage treatment or disposal works, so constructed or to be constructed by another county, city or village, shall provide for payment of the agreed compensation by the levy of taxes or special assessments as now provided in the laws governing such county, city or village in the construction, maintenance, repair, or operation of a sewer improvement or sewage treatment or disposal works, and may issue bonds as provided by such laws in anticipation of such taxes or assessments.

SEC. 4. That the county, city or village receiving such compensation shall credit the amount so received to the proper fund to be used and applied towards the construction or maintenance, as the case may be, of such sewer and other works to be so jointly used.

SEC. 5. That sections 6602-10, 6602-11, 6602-12, 6602-13, 6602-14, 6602-15, and 6602-16 of the general code of Ohio, be and the same hereby are repealed.

Habit-Forming Drugs—Sale and Dispensing—Commitment of Persons Convicted Under Act When Addicts. (Act Mar. 29, 1917.)

[Sections 12672 and 12673 of the Ohio General Code have been amended to read as follows:]

SEC. 12672. Whoever sells, barter, furnishes or gives away, directly or indirectly, or has in his possession for the purpose of selling, bartering, furnishing or giving away, directly or indirectly, any quantity of cocaine, alpha or beta eucaine or lypin, morphine, acetyl-morphine, diacetyl-morphine, diacetyl-estermorphine, thyl morphine, heroin, chloral hydrate, opium, or any of their alkaloids, salts, derivatives of compounds, or any synthetic equivalent thereof either as to the physical properties or physiological action, except upon the original written prescription of a physician, dentist, or veterinary surgeon duly licensed under the laws of this State, when pre-

scribing for their patients for actual and necessary purposes in the proper practice of their respective professions, which prescription shall contain the name of the physician, dentist, or veterinary surgeon issuing it, the date of issue and the name of the person for whom it is issued; or fails to keep such prescription on file for at least two years, in such manner that it is accessible at all reasonable times to the inspection of the proper officer or officers of the law and the secretary of agriculture, or fills said prescription more than once, shall be fined not less than \$25, nor more than \$500, or imprisoned in the county jail not less than 30 days or more than six months, or both offense shall be imprisoned not less than one year or more than five years in at the discretion of the court, for the first offense, and for each subsequent the penitentiary [sic]. If it be made to appear to the court that the person so convicted is addicted to the use of any of the above mentioned drugs or substances, the court, with the consent of such person may commit such person to a hospital or other institution for the treatment of such person. This section does not extend to sales at wholesale of any quantity of the above mentioned drugs to duly registered pharmacists, physicians, dentists or veterinary surgeons; and shall not apply to liquid preparations sold in good faith as medicines containing not more than two grains of opium, or not more than one-fourth grains [sic] of morphine, or not more than one-fourth grain of heroin, or not more than one-eighth grain of alpha or beta eucaïne, or not more than 10 grains of chloral hydrate in one fluid ounce, or if a solid preparation, in one avoirdupois ounce.

Sec. 12673. It shall be the duty of the secretary of agriculture to enforce the provisions of section 12672 and all fines collected under section 12672 shall be paid to the secretary of agriculture and by him covered into the State treasury.

Pupils, Teachers, and Janitors—Physical Examination. (Reg. Bd. of H. and Supt. of Public Instruction, Feb., 1917.)

1. Whenever the board of education of a school district in the State of Ohio shall provide for the physical examination of pupils, teachers, and janitors in the public schools, and whenever two or more boards of education shall unite for the purpose of providing for the physical examination of pupils, teachers, and janitors in the combined school district immediate notice shall be sent to the superintendent of public instruction and the State board of health.

2. Whenever by agreement between the board of education of a school district and the board of health, or officers performing the functions of a board of health within the school district, the physical inspection of pupils, teachers, and janitors is transferred to the board of health or officer performing the functions of a board of health, notice shall be sent to the superintendent of public instruction and the State board of health.

3. As soon as a school physician, or school nurse, is appointed notice of such appointment, with the name and address of the appointee, shall be sent to the superintendent of public instruction and the State board of health.

4. When a school nurse is to be appointed it shall be held that the words "trained nurse," as found in section 7692, general code, mean a person who is a graduate of a recognized training school for nurses and who is registered by the State medical board as a nurse.

5. It shall be the duty of each principal, teacher, or person in charge of a school building to report to the school physician or nurse in the most expeditious manner possible the absence from school of any pupil, teacher, or janitor unless such absence is known not to be due to a communicable disease.

6. It shall be the duty of the school physician, or nurse, to immediately notify the health officer within whose jurisdiction the school building is located of the existence of any case of communicable disease occurring in a pupil, teacher or janitor or in the

family of such person. Likewise it shall be the duty of the health officer to notify the superintendent of schools, principal or teacher in charge of a school building of the existence of a case of communicable disease in the family of any pupil, teacher or janitor.

7. In addition to the physical examination of all pupils, teachers and janitors at the beginning of the school year a thorough physical examination shall be made of all pupils, teachers, and janitors who may enter or be employed in the schools during the course of the school year.

8. An index record card of the form prescribed by the superintendent of public instruction shall be used for each pupil, teacher and janitor attending or employed in the schools of the school district. When the physical examination is made by a physician other than the school physician such physician shall give all the information required of him. Each record card shall be signed by the physician who makes the examination, shall be made complete and shall be filed in the building which the pupil attends, or in which the teacher or janitor is employed.

9. No pupil, teacher or janitor shall be permitted to attend or return to school after being quarantined by a board of health, or health officer, until a written permit so to do is issued by the board of health, or health officer, and a record of such permit shall be made by the principal or other person in charge of the school building.

10. A report of the work of the school physician and nurse shall be made at the end of each school year. Such report shall be in writing, shall contain such information as the superintendent of public instruction and the State board of health may require to be included therein, and a copy shall be sent to the board of education, the superintendent of public instruction, and the State board of health.

Health and Old Age Insurance and Sickness Prevention—Investigation of, by Commission. (Act Mar. 30, 1917.)

SECTION 1. That the governor be and is hereby authorized and directed to appoint within 30 days after this bill becomes a law, a commission of seven members to conduct a study of the subject of health insurance and sickness prevention and also of the subject of old age insurance and of the application of health insurance and old age insurance to Ohio conditions.

SEC. 2. It shall be the duty of such commission to make an inquiry into the subject of sickness, and the causes thereof; the loss to individuals and to the public thereby; the adequacy of the present methods of treatment and care of such sickness and of meeting the losses caused by such sickness by existing insurance companies or associations, or otherwise; and the influence of working and living conditions upon the health of employed and unemployed persons and methods for the prevention of such sickness, and other related subjects.

SEC. 3. It shall also be the duty of such commission to make an inquiry into the subject of old age in its relation to industry and to the public interest and of the adequacy of existing methods of caring for aged workers.

SEC. 4. The commission herein authorized to be appointed shall, within 30 days after its appointment, meet in Columbus and organize by the election of a chairman and it shall submit to the eighty-third general assembly a full report of its work and findings on the subject of health insurance and sickness prevention and also a full report of its work and findings on the subject of old age insurance. Such commission, however, may issue partial reports on these subjects during the progress of its work.

SEC. 5. The members of such commission shall serve without compensation except that each shall be entitled to his actual and necessary expenses incurred in the performance of his duties under the provisions of this act including his necessary traveling expenses incurred in attending meetings or in performing other duties incidental to the work of the commission.

SEC. 6. Such commission shall have the power to employ and fix the compensation of a secretary and such investigators and other employees as may be necessary to

carry out the purposes of this act. Such commission shall have the power to provide necessary office furniture, supplies, stationery, printed forms, books, periodicals, maps, and other furnishings and equipment necessary to the performance of their duties.

SEC. 7. The secretary, investigators and other employees of such commission, in addition to the compensation herein provided for, shall be paid their necessary traveling expenses and other expenses necessarily incurred in the performance of their duties.

SEC. 8. The expenses incurred by such commission and the compensation and expenses of its secretary, investigators, and other employees for the purposes specified herein, shall be paid from the State treasury upon the warrant of the auditor of state when the vouchers therefor have been duly signed by the chairman of such commission.

SEC. 9. Such commission and any subcommittee or member of such commission delegated to conduct hearings shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses within the county of their residence. In case of disobedience on the part of any person to comply with any proper order of the commission or any subpoena issued in behalf of such commission, or on the refusal of any witness to testify concerning any matters regarding which he may be lawfully interrogated, the presiding officer shall make complaint thereof, in writing, to the probate judge of the county in which such witness resides, who shall issue a subpoena for the appearance of such person forthwith before him to give testimony. If any person so summoned fails to appear, or appearing, refuses to testify, he shall be subject to like proceedings and penalties for contempt as witnesses in actions pending in the probate court.

SEC. 10. Such commission shall have free access to all public records necessary for the carrying out of the duties herein prescribed and suitable rooms shall be furnished to such commission either in the State House or in some other building.

SEC. 11. There is hereby appropriated out of any moneys in the State treasury to the credit of the general revenue fund, not otherwise appropriated, not to exceed the sum of \$25,000, to carry out the purposes of this act.

OKLAHOMA.

State Board of Health—Appointment and Salaries of Certain New Employees. (Ch. 165, Act Mar. 23, 1917.)

SECTION 1. In addition to the officers and employees heretofore created, the clerical and stenographic positions hereinafter named are hereby created and established in the State board of health of the State of Oklahoma, and the salary and compensation of each shall be the amount following the name of such officer or position payable monthly as provided by law, as follows: One clerk, \$1,020 per annum; one bookkeeper, \$1,200 per annum; one stenographer and clerk, \$1,020 per annum; one State chemist, \$1,500 per annum; one assistant chemist, \$1,200 per annum; and one bacteriologist, \$1,500 per annum; one assistant bacteriologist, \$1,200 per annum.

SEC. 2. That the commissioner of health is hereby authorized and empowered to appoint when necessary, all officers and employees herein created, who shall serve during his pleasure: *Provided*, That this act shall not become effective until July 1, 1917.

State Tuberculosis Hospital—Establishment and Maintenance—Admission of Patients. (Ch. 171, Act Mar. 27, 1917.)

SECTION 1. There is hereby established a hospital, to be known as the State tubercular hospital, same to be built on the cottage plan, and located on the lands belonging to the State, near Supply, in Woodward County, on which the Oklahoma Hospital for Insane is now located.

SEC. 2. Said tubercular hospital to be under the supervision and control of the State board of public affairs and under the same management as the Oklahoma Hospital for the Insane at Supply.

SEC. 3. Any person a citizen of the State of Oklahoma, or any person who is a charge on the State, who are confined in any of the penal or eleemosynary institutions of the State, afflicted with tuberculosis, are eligible to admission to said tubercular hospital: *Provided*, Such admissions are approved by the State board of health, who will issue a certificate covering each admission to the State board of public affairs: *And provided further*, That all expenses for transferring such persons from the said penal or eleemosynary institutions to the hospital are defrayed by the institution making the transfer.

SEC. 4. It is hereby further provided, that the men and women who are admitted to the State tubercular hospital are to be kept in separate cottages or buildings, with no communication between same, and that such persons who are admitted to said hospital from either of the penal institutions of the State, must be confined in separate buildings from other inmates, under the same rules, regulations and restrictions as now prevail in the penal institutions of the State.

SEC. 5. There is hereby appropriated out of the public building fund, not otherwise appropriated, the sum of \$50,000, for the purpose of erecting and equipping suitable buildings to carry out the purpose of this act.

SEC. 6. Appropriations heretofore or hereafter made for the support and maintenance of the hospital for the insane at Supply, are hereby made available for the support and maintenance of said tubercular hospital.

Water Supplies—Prevention of Pollution—Construction of Waterworks—Sewage Disposal. (Ch. 166, Act Mar. 31, 1917.)

SECTION 1. That the term "waters of the State" wherever used in this act, shall include all streams and springs and all bodies of surface and impounded ground water, whether natural or artificial, within the boundaries of the State.

SEC. 2. Every municipal corporation, private corporation, company and individual supplying, or authorized to supply water to the public within the State, shall within 90 days after the passage of this act, file with the State board of health a certified copy of the plans and surveys of the waterworks with a description of the source from which the water supply is derived; and no additional source of supply shall thereafter be used without a written permit from the State board of health hereinafter provided.

SEC. 3. That no person, company, corporation, institution or municipality shall supply water or let a contract or contracts for any construction works, or do any construction work of any nature for supplying water for domestic purposes to the public within the State, from or by means of any waterworks, that shall have been constructed, or extended, either in whole or in part, subsequent to the passage of this act without a written permit from the State board of health for the supplying of such water; except that this provision shall not apply to the extension of water mains or pipes for the distribution of water.

An application for such permit shall be made to the State board of health on blanks furnished by the State board of health and shall be accompanied by a certified copy of map or maps, plans and specifications for the extension of such waterworks or waterworks extensions and a description of the design of the system, source from which it is proposed to derive the water supply and of the manner of storage, purification of the stream proposed for the supply previous to its delivery to consumers, together with such other data and information as may be required by the State board of health, all of which data shall be filed of record with the State board of health, and no other additional source of supply shall subsequently be used for such waterworks, nor any change made in the manner of storage, purification or treatment of the supply without an additional permit, which permit shall be obtained in a similar manner from the State board of health. Whenever an application shall be made to the State board of health, for a permit under the provisions of this section, it shall be the duty of the State board of health to examine the application, the maps, plans, specifications and other data, without delay, and as soon as possible thereafter to issue the said permit and if in its judgment the proposed supply appears to be not prejudicial to the public health, or to make an order stating the condition or conditions under which the said permit shall be granted [sic]. If the said person, company, corporation, institution or municipality shall consider the terms of such an order to be illegal, unjust or unreasonable, it may, within 30 days after the making of such order, appeal therefrom to the district court of the county in which the proposed waterworks or extensions thereof, is to be located; and the said court shall hear the said appeal without delay, and shall render a decision approving, setting aside or modifying said order, or fixing the terms upon which said permit shall be granted, or stating the reason therefor.

The supplying of water for domestic purposes to the public within the State, from or by means of any waterworks that shall have been constructed or extended, either in whole or in part, subsequent to the passage of this act, without a permit to do so, being obtained from the State board of health as hereinafter provided, shall be deemed a misdemeanor, and shall be punished by a fine of not less than \$25 nor more than \$50 for each offense. The supplying of water in each day, contrary to the provisions of this act, shall be considered to constitute a separate offense. The letting of contract or contracts of any construction work or doing any construction work of any nature for the supplying of water without a permit having been issued by the State board of health, shall be deemed a misdemeanor and shall be punished by a fine of not less than \$500 for each offense.

Whenever complaint shall be made to the State board of health by the mayor of any city or president or chairman of any board of trustees of any incorporated town in the State, or by any county health officer, or by a local board of health, relating to the sanitary quality of the water supplied to the public for domestic or drinking

purposes within the county which the said city or town or health officer or local board of health is located [sic], it shall be the duty of the State board of health to investigate the character of the water supply, concerning which the complaint is made. Also, whenever the State board of health shall have reason to believe that the sanitary quality of any water supplied to the public within the State for domestic or drinking purposes is such as to be prejudicial to the public health, it may, upon its own motion, investigate the character of such water supply. Whenever an investigation of any water supply shall be undertaken under either of the foregoing provisions, it shall be the duty of the person, company, corporation, institution or municipality, having the water supply investigated, to furnish, on demand, to the State board of health such information relative to the source or sources from which said supply of water is derived, and to manner of storage, purification or treatment necessary or desirable for the determination of its sanitary quality. And the State board of health is hereby given authority to make an order requiring such change in the source or sources of said water supply, or in the manner of storage, purification or treatment of said supply before delivery to the consumers, or both, as may be necessary in its judgment to safeguard the public health.

It shall be the duty of the person, company, corporation, institution or municipality, having in charge the water supply investigated, or the works for the development or distribution of the supply, to comply with said order of the State board of health. If any person, company, corporation, institution or municipality shall consider the requirements of the said order to be illegal, unjust or unreasonable, it may, within 30 days after the making of such order, appeal therefrom to the district court of the county in which the said water works are located, and the court shall hear the case without delay and shall render a decision approving, setting aside or modifying the said order, or fixing the terms upon which the said permit shall be granted, and stating the reason therefor.

SEC. 4. That no person, company, corporation, institution or municipality shall let a contract or contracts for any construction work of any nature for a sanitary sewerage system and sewage disposal and treatment plant, or for any extensions, either in whole or in part, or place or permit to be placed or discharged or permit to flow into any of the waters of the State or elsewhere any sewage except as hereinafter provided, subsequent to the passage of this act, without a written permit from the State board of health.

An application for such permit shall be made to the State board of health and shall be accompanied by a certified copy of the map or maps, plans and specifications for the construction of such sanitary sewerage system, sewerage disposal or treatment plant or extension, together with a complete description of the designs of the system, sewer outfall and disposal or treatment plant together with all other data and information as may be required by the State board of health, all of which data shall be filed of record with the State board of health, and no other extension or change of any kind shall be made in the manner of sewerage disposal or treatment without an additional permit being issued by the State board of health, which permit may be obtained in a similar manner from the State board of health. But this act shall permit the discharge of sewerage from any public sewer system owned and maintained by a municipality or sewerage company, person, institution or corporation, provided such sewer system was in operation and was discharging sewage into the waters of the State on the first day of July, 1916. But this exception shall not permit the discharge of sewage from any sanitary sewer system that shall have been extended subsequent to the aforesaid date, nor shall it permit the discharge of any sewage which, upon investigation by the State board of health, as hereinafter provided, shall be found to be polluting the waters of the State in a manner prejudicial to the health of the inhabitants thereof.

For the purpose of this act, sewage is hereby defined as any substance that contains

any discharge from the bodies of human beings or animals, or chemical or other wastes from domestic, manufacturing or other forms of industry.

Whenever complaint shall be made to the State board of health by the mayor of any city or president or chairman of the board of trustees of any incorporated town of the State, or by a county health officer, or by a local board of health, of the pollution or of the polluted condition of any of the waters of the State, situated within the county within which the said city or town or health officer (or) of local board of health is located, it shall be the duty of the State board of health to make an investigation covering the pollution, or the polluted condition concerning which complaint is made. Also, whenever the State board of health shall have reason to believe that any waters of the State are being polluted in a manner prejudicial to the health of any of the inhabitants of the State, it shall be the duty of the State board of health to make an investigation covering the pollution or the polluted condition concerning which the complaint is made.

Whenever an investigation shall be undertaken by the State board of health under either of the foregoing provisions, it shall be the duty of any person, company, corporation, institution or municipality concerned in such pollution to furnish on demand to the State board of health such information as may be required relative to the amount and character of the polluting material discharged into said waters by such persons, company, corporation, institution or municipality. And if the State board of health shall find that any of the waters of the State have been or are being polluted in a manner prejudicial to the health of any of the inhabitants of the State, the State board of health shall have the authority to make an order requiring such pollution to cease within a reasonable time, or requiring such manner of treatment or of disposition of the sewage or other polluting material as may in its judgment be necessary to prevent the further pollution of such stream, or both. And it shall be the duty of the person, company, corporation, institution or municipality to whom such order is directed to fully comply with said order of the State board of health. If the person, company, corporation, institution or municipality shall consider the requirements of the said order to be illegal, or unjust, or unreasonable, it may, within 30 days after the making of said order, appeal therefrom to the district court of the county in which the pollution or polluted conditions occur, and the said court shall hear the said case without delay, and shall render a decision approving, setting aside or modifying the said order, or fixing the terms upon which said permit shall be granted, and stating the reason therefor.

SEC. 5. Upon application duly made to the State board of health by sewerage companies or by the public authorities having by law the charge of the sewer system of any municipality, the State board of health shall consider the case of such a sewer system, otherwise prohibited by this act from discharging sewage into any of the waters of this State, and whenever it is their unanimous opinion that the general interests of the public health would be subserved thereby, the commissioner of the State board of health may issue a permit for the discharge of sewage from any such sewer system into any of the waters of the State, and may stipulate in the permit the conditions on which discharge may be permitted. Such permit before being operative shall be recorded in the office of the recorder of deeds for the county wherein the outlet of the said sewer system is located. Every such permit for the discharge of sewage from a sewer system shall be revocable, or subject to modification or change by the State board of health, after an investigation and hearing and an opportunity for all parties interested therein to be heard thereon by notice served on the sewerage company or on the public authorities of the municipality owning, maintaining or using the sewerage system. The length of time after receipt of the notice within which the discharge of sewage shall be discontinued may be stated in the permit, but in no case shall it be less than one year or more than two years, and if the length of time is not specified in the permit, it shall be one year. On the expiration of the

period of time prescribed, after the serving of a notice of revocation, modification or change from the State board of health, the right to discharge sewage into any of the waters of the State shall cease and terminate; and the prohibition of this act against such discharge shall be in full force, as though no permit has been granted, but a new permit may thereafter again be granted as hereinbefore provided.

Sec. 6. It shall be the duty of sewerage companies and the public health authorities having by law the charge of the sanitary sewer system of every municipality of the State from which sewage was being discharged into any of the waters of the State at the time of the passage of this act, to file with the State board of health, within four months after the passage of this act, a report of such sewer system, which shall comprise such facts and information as the State board of health may require. No sewer system shall be exempt from the provisions of this act against the discharge of sewage into the waters of the State for which a sanitary report shall not be filed with the State board of health in accordance with this section.

Sec. 7. All individuals, private corporations and companies that at the time of the passage of this act are discharging sewage into any of the waters of the State, may continue to discharge such sewage unless, in the opinion of the State board of health, the discharge of such sewage may become injurious to the public health. If at any time the State board of health considers that the discharge of such sewage into any of the waters of the State may become injurious to the public health, it may order the discharge of such sewage to be discontinued.

Sec. 8. Any person, company, corporation, institution or municipality who shall fail to furnish on demand, to the State board of health such information as may be required by the said board of health under the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not less than \$50 nor more than \$500. That any person, company, corporation, institution or municipality who shall fail to fully comply with the requirements of the State board herein authorized to be made, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$25 and not more than \$100, for each offense. The failure to comply with such requirements, in each day on which such failure is made, shall be considered to constitute a separate offense.

Sec. 9. That for the purpose of carrying out the provisions of this act, the State engineer will designate one of his assistant engineers for State board of health and it shall be the duty of such engineer to examine all applications, maps, plans, specifications and other data, to investigate and report upon all matters relating to water supplies and sewerage, and the pollution of the waters of the State that may come before the State board of health for investigation or action, and to make such recommendations in relation thereto as he may deem wise and proper; and to make such special investigations in relation to methods of sewage disposal and of water supply and the purification of water as may be necessary in order to make proper recommendations in regard thereto, or as may be required by the State board of health. He shall make a report to the board at each annual meeting, covering the work of his office for the past year. His actual and necessary expenses incurred while in the discharge of his duties as engineer of the State board of health and [sic] shall be allowed and paid when audited and approved by the State commissioner of health.

That suits under the provisions of this act shall be brought in the name of the State of Oklahoma by the attorney general of the State in any court of competent jurisdiction, and the penalties and fines recovered under the provisions of this act shall be paid into the school fund of the State.

That whenever appeal to any district court shall be made from any order or decision of the State board of health, under the provisions of this act, the court or judge thereof, may on application, upon good cause shown, stay such order or decision until the final determination of said appeal.

Sec. 10. This act shall not be in force and effect for 18 months from passage of this act.

Common Drinking Cups and Common Towels—Prohibited in Public Places. (Reg. Bd. of H., Effective June 1, 1917.)

RULE 44. That the use of common roller towels and drinking cups in public toilets, public wash rooms, department stores, schools, factories, or hotels, and all other places of a public character, is hereby prohibited from and after June 1, 1917. No person or corporation, in charge of, or control of public toilets, public wash rooms, department stores, schools, factories, hotels, or other places of a public character, shall furnish a common towel or drinking cup for public use, and no such person or corporation shall permit in said public toilet, public wash room, department store, school, factory, or hotel, the common use of the towel and drinking cup.

Births and Deaths—Registration. (Ch. 168, Act Mar. 31, 1917.)

[Chapter 168 of the laws of 1917 is the model law for the registration of births and deaths.]

OREGON.

Communicable Diseases—Notification of Cases. (Ch. 142, Act Feb. 15, 1917.)

SECTION 1. That chapter 268¹ of the general laws of Oregon for the year of 1915 enacted by the 28th regular session of the Legislative Assembly of the State of Oregon, which is an act entitled "To provide for the registration of all births and deaths in the State of Oregon, and fixing penalties for the violation of this act, and to repeal section 4697 of Lord's Oregon Laws, and all acts and parts of acts inconsistent with this act," be and the same is hereby amended by adding a new section thereto to be known as section 24, which section shall read as follows:

SEC. 24. It shall be the duty of all physicians and all other persons practicing the art or science of healing of human beings and all persons having the care of persons afflicted with contagious diseases, immediately upon the development of the disease so as to show its contagious character, to report to the county health officer in the county in which said sick person is located, upon blanks furnished by the State board of health, the name and address of any person afflicted with any contagious disease on which the State board of health requires a report, together with the nature of the disease and such other information as shall be required by the State board of health. It shall be the duty of any person required to make a report under this statute either to procure from the county health officer a blank furnished by the State board of health for the making of such report, or to make such report in writing and furnish therein information required by the State board of health. Any person who shall fail to make a report as herein required shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided in section 21 of this act.

Communicable Diseases—Notification of Cases—Quarantine—Isolation—Placarding—Disinfection—Attendance at Schools and Public Gatherings—Minimum Control Measures—Sale, Handling, and Destruction of Milk and Foodstuffs—Common Carriers. (Reg. Bd. of H., Sept. 22, 1917.)

SECTION 1. Section 24 of chapter 268 [of the laws of 1915], an amendment of the 1917 legislature [ch. 142], makes it compulsory by law for any physician, or any other person practicing the science or art of healing, to report to the county health officer in writing or upon the proper blank, the name and address of patient, the nature of the disease and such additional information as may be required by the State board of health.

Contagious disease report blanks can be secured from the county health officer or the city health officer of first-class cities. Physicians or other persons practicing the art or science of healing, in first-class cities procure blanks and report to the city health officer in charge. In other than first-class cities and where no health authorities are in charge, reports are made to the county health officer.

City health officers are under the supervision of the county health officer in that all reports and matters concerning public health must be furnished the latter.

Communicable diseases of unusual severity or the occurrence of any case which might endanger the community should be telegraphed or telephoned to the health officer in authority, later to be followed by written report.

¹ Pub. Health Repts. Reprint 338, p. 423.

SEC. 2. The State board of health hereby declares the following communicable diseases dangerous to public health and they are hereby, according to law, strictly reportable on proper blanks to county and city health officers:

GROUP 1.

Tuberculosis.	Erysipelas.
Typhoid fever.	Trachoma.
Diphtheria.	Ophthalmia neonatorum.
Scarlet fever.	Dysentery (epidemic).
Smallpox.	Enterocolitis.
Whooping cough.	Pneumonia.
Poliomyelitis.	Favus.
Cerebrospinal meningitis (epidemic).	Puerperal septicemia.
Measles.	Impetigo contagiosa.
German measles.	Scabies (itch).
Chicken pox.	Influenza.
Mumps.	Syphilis.
Septic sore throat.	Gonorrhea.

GROUP 2.

Pellagra.	Actinomycosis.
Anthrax.	Echinococcus.
Glanders.	Trichinosis.
Tetanus.	Rocky Mountain spotted fever.
Rabies.	Malaria.

GROUP 3.

Yellow fever.	Asiatic cholera.
Malaria.	Dysentery (amebic and specific bacillary).
Plague.	Paragonimiasis.
Leprosy.	Typhus.
Beri beri.	Schistosoma.
Dengue.	Relapsing fever.
Hookworm.	

GROUP 4.

(Also reportable by law.)

Poisoning by arsenic.	Poisoning by carbon monoxide.
Poisoning by brass.	Poisoning by cyanide.
Poisoning by lead.	Poisoning by dintro benzene.
Poisoning by mercury.	Poisoning by fuel gas.
Poisoning by silver.	Poisoning by naphtha.
Poisoning by carbon disulphide.	Poisoning by wood alcohol and any others.
Poisoning by carbon dioxide.	

SEC. 3. The following, according to law, must report the occurrence of any contagious disease in writing or on the proper blank, to the city or county health officer: (a) Any person practicing the art or science of healing; (b) Anyone having the care of a patient, if, (1) the head of a private household; (2) the proprietor of a hotel; (3) the proprietor of a lodging house; (4) the proprietor of a boarding house; (5) the proprietor of a dairy or produce farm; (6) the superintendent or manager of a private hospital or sanitarium.

SEC. 4. When any county health officer receives a report of a "reportable" disease named in section 2, he must immediately enter the same in his record book of contagious diseases and without delay forward the original report to the State board of health.

SEC. 5. Quarantine demands prohibition of entrance to, or exit from, the immediate building or rooms occupied by the patient or members of the family, except by officers or attendants authorized by the health authorities. If necessary, guards should be secured for the enforcement of this rule.

Approved placards must be placed conspicuously at the front and rear entrances showing the name of the disease in type of approved size.

The health officer or physician must prescribe restrictive measures controlling the delivery of the necessities of life.

No object or materials should be removed from the sick room or premises until thoroughly disinfected.

Quarantine is released only upon permission from the health officer in charge.

SEC. 6. The following diseases require absolute quarantining as specified in section 5:

Diphtheria.	Bubonic plague.
Scarlet fever.	Leprosy.
Smallpox.	Typhus.
Poliomyelitis.	Yellow fever.

SEC. 7. Isolation, or modified quarantine, requires the confinement of the patient and attendant to one apartment or suite of rooms. Members of household or other persons must be excluded from the sick room. Officers and authorized attendants only may have access to the sick room. Nothing should be removed from the sick room until disinfection is undergone. The remainder of the house must be protected by a sheet suspended from the top of the entrance of the sick room and kept constantly soaked with an approved disinfectant solution. Attendants and officers leaving the sick room must wipe shoes upon a mat soaked in the same solution which is placed on the floor in a flat pan.

Any member of the family, adult or child, who can not show evidence of having had the disease in question, is strictly forbidden from attending any private, public, or parochial school, any church or place of amusement, or public gathering of any kind.

Approved placards must be placed conspicuously at the front and rear entrances, showing the name of the disease in type of approved size.

Modified quarantine is released only upon permission from the health officer in charge.

SEC. 8. The following diseases require quarantining as specified in section 7:

Typhoid fever.	Chicken pox.
Whooping cough.	Mumps.
Measles.	Cerebrospinal meningitis.
German measles.	Septic sore throat.

SEC. 9. Special restrictive precautions require that the patient be prohibited from attending any public gathering, or associating freely with other persons. Individual eating utensils, towels, napkins, and clothing are required for the patient. Toys, books, or anything handled by the patient should not be used by others. Special quarters should be provided and sleeping with other members of the family is prohibited.

The corrective treatment or restrictive measures vary with the nature of the disease and are subject to the judgment of the physician or health officer in charge. Restrictive or precautionary measures are dispensed with only by consent of physician or health officer. Failure of members of household to comply with modified quarantine or restrictive precautionary methods will result in absolute quarantine subject to the decision of the health officer in charge.

SEC. 10. The following diseases require special restrictive measures as specified in section 9:

Tuberculosis.

Trachoma.

Ophthalmia neonatorum.

Dysentery (epidemic enterocolitis).

Pneumonia.

Favus.

Erysipelas.

Impetigo contagiosa.

Scabies.

Influenza.

Glanders.

Actinomycosis.

Hookworm.

Anthrax.

Rabies.

Dysentery (amebic and specific bacillary).

Syphilis.

Gonorrhea.

MINIMUM CONTROL MEASURES FOR COMMUNICABLE DISEASES.

SEC. 11. *Diphtheria*.—(a) Infection contracted from contact with nose and throat secretions.

Incubation period, a few hours to five days.

(b) Placard.

(c) Quarantine for the patient not less than 14 days.

After two successive cultures of the nose and throat are negative when taken at intervals of 24 hours, quarantine may be lifted. Cultures must be taken by health officer in authority. The laboratory of the State board of health will make bacteriological examinations free of charge.

(d) For persons who have not previously had diphtheria and who have been exposed to the disease but do not live on quarantined premises, isolation for 10 days should be observed. This isolation may be dispensed with upon the finding of a negative culture from nose and throat.

(e) All bedding, clothing, dishes, and other articles used in the sick room, must be disinfected before being removed. Boiling in water, or soaking in a solution of formaldehyde may be used for disinfection.

(f) Adult members of the family wishing to pursue their occupations, may change their residence by permission of the health officer or physician in charge and according to the following restrictions:

(1) A disinfectant bath must be taken.

(2) A set of clothes must be worn either new or disinfected.

(3) Cultures from nose and throat must be negative.

(g) Children in the family will not be permitted to attend school or any other public assembly until 10 days have elapsed after recovery or death of patient. To prevent the possibilities of diphtheria carriers entering schools, cultures should be made from nose and throat of pupils, before being admitted to school.

(h) When diphtheria appears in a school, cultures should be taken from all pupils, teachers, and janitors who have been exposed or show signs of throat infection. All persons from whom the cultures are reported as containing diphtheria germs, must be excluded from the schools and isolated for 10 days.

It is undesirable to close schools and if these precautions are taken, as a rule, school closure will be unnecessary.

If the rooms, desks, woodwork, and doors, are thoroughly cleansed with soap and water and then well aired for a period of 24 hours, fumigation will not be necessary.

(i) If patient lives on a dairy farm, or is engaged in the handling of any foodstuffs, the sale of milk or any other product is prohibited unless special arrangements are made with the health officer or physician in compliance with regulations (a) and (c). The health officer is further empowered by regulation (b) to destroy all food products as provided in said regulation.

(j) When the patient is released from quarantine, a disinfectant bath of weak lysol solution or mercuric chloride 1-2000, must be taken, and patient clothed in clean, unexposed or sterilized clothing. Rooms must be cleansed, renovated, and disinfected as directed by the health officer or physician in charge.

SEC. 12. *Scarlet fever, scarlatina (scarlet rash).*—(a) Communicable by contact with secretions from nose, throat, mouth and ears.

Incubation period varies from one to eight days.

(b) Placard.

(c) For the patient and members of the family, quarantine for not less than 30 days.

Quarantine released only after complete disappearance of inflammation of nose and throat and complete cessation of discharge from nose, throat, ears, or suppurating glands.

(d) No material, dishes, bedding, or clothing should be removed from the sick room without disinfection. Physicians should leave instructions protecting the other members of the household, especially in the disposal of discharges from nose and throat of patient.

(e) Persons exposed who do not reside on the quarantined premises shall be kept under isolation and observation of health officer and physician for a period of 10 days. During this period, children must be excluded from school or any occupation which brings them in contact with children or large numbers of persons, which includes the handling of milk or other food supplies.

(f) If the patient lives on a dairy farm, or is engaged in the handling of any food-stuffs, the sale of milk or any other product is prohibited unless special arrangements are made with the health officer or physician in compliance with regulations (a) and (c). The health officer is further empowered by regulation (b) to destroy all food products as provided in said regulation.

(g) Heads of families and children who have previously been infected may, under the permission of the health officer or physician, be removed to another residence and kept in isolation for 10 days before resumption of occupation or school attendance. The restrictive measures in section 9 must be complied with.

(h) After recovery or death of patient, children in the family are not permitted to attend school or any public gathering until 10 days have elapsed. The premises must be renovated, cleansed and disinfected.

(i) Upon the appearance of scarlet fever in schools, it is imperative that the children be examined daily by the teacher, principal or physician. Those pupils found with symptoms of illness or having a sore throat must be excluded from attendance and kept under observation for 10 days. If the children can not be thoroughly inspected daily and isolation is difficult to enforce, it may become necessary to close not only the schools but all places of public assembly where children meet, for a period of one week after the onset of the disease in the last case.

A strict lookout and isolation should be maintained for the appearance of "septic sore throat" infection, as many of these cases are virtually mild scarlet fever.

SEC. 13. *Septic sore throat (epidemic and streptococcic sore throat).*—(a) Communicable from the use of milk from cows having diseased udders. Milk may also be contaminated when handled by infected persons.

Incubation period short.

(b) Placard.

(c) Isolation of patient until a culture from the throat shows the absence of streptococci. Sick-room articles and throat discharges must be disinfected.

(d) If the patient lives on a dairy farm, or is engaged in the handling of any food-stuffs, the sale of milk or any other product is prohibited unless special arrangements are made with the health officer or physician in compliance with regulations (a) and (c). The health officer is further empowered by regulation (b) to destroy all food products as provided in said regulation.

(e) Cultures of suspected cases must be sent to the laboratory of the State board of health for diagnosis.

(f) Terminal disinfection required.

SEC. 14. *Smallpox*.—(a) Communicable from contact, air, and fomites.

Incubation period 12 to 20 days.

(b) Placard.

(c) Encourage removal of patient to isolation hospital. Quarantine period not less than 21 days after the beginning of the disease. Quarantine not released until all skin lesions have cleared up and cessation of all nose and throat discharges.

(d) Members of the household who have had the disease or have been successfully vaccinated within seven years may enter or leave the house, provided contact with patient or sick-room articles is avoided; such persons must also take a disinfectant bath and be dressed in clean unexposed clothing.

(e) Persons not living on the premises who are susceptible (not vaccinated nor having had previous infection) and who have been exposed shall be isolated and kept under the observation of the health officer or physician for a period of 18 days. Exposed immunized persons are exempt from isolation if successfully vaccinated within seven years or if they have had the disease. Submission to vaccination exempts the individual from isolation.

(f) If smallpox exists in a community, the county or city boards of health shall provide free vaccination for persons desiring protection against infection. When smallpox exists in a community, no child shall be permitted to attend school without presenting satisfactory evidence of his having been successfully vaccinated within seven years.

(g) The physician or health officer shall instruct the household upon the disposal of discharges from the patient's nose, throat, and skin lesions. All sick-room articles must be disinfected before being removed. The attendants should be vaccinated and wear clothing of such quality as to permit of easy disinfection. Attendants' heads should be covered and their hands should be thoroughly disinfected before leaving the sick room. Upon recovery and before terminating quarantine, the entire body of the patient should be washed with soap and water disinfected with lysol or mercuric chloride 1-2000, and dressed in clean unexposed clothing. The sick room should be renovated, cleansed and disinfected under the supervision of the health officer or physician in charge.

(h) Upon recovery or death of the patient, other children in the family should not be permitted to enter school or attend public assemblies until a period of 18 days has elapsed. Exemption from these restrictions is through vaccination or showing evidence of successful vaccination within seven years. In order to prevent the closure of schools, all exposed children should be immediately vaccinated.

(i) If the patient lives on a dairy farm, or is engaged in the handling of any food-stuffs, the sale of milk or any other product is prohibited unless special arrangements are made with the health officer or physician in compliance with regulations (a) and (c). The health officer is further empowered by regulation (b) to destroy all food products as provided in said regulation.

SEC. 15. *Whooping cough (pertussis)*.—(a) Highly communicable through the respiratory tract. Duration of six to eight weeks.

Incubation period, 4 to 14 days.

(b) Placard.

(c) Due to the high mortality and sequelae of this disease, strict isolation should be enforced. The period of isolation should not be less than five weeks and longer if necessary, until the disappearance of the characteristic "whoop."

(d) The physician or health officer should instruct the members of the household on the proper disposal of the nose and throat secretions and vomited material. All sick-room articles should be thoroughly disinfected. The patient may, if circum-

stances permit, have the isolated use of the yard or "fenced-off play yard." Household pets should be discouraged from entering the house, and if possible should be done away with.

(e) Other children in the family who have had the disease and have entirely recovered shall be allowed to attend school. This privilege is entirely subject to the authority of the health officer or physician and may be withheld if, in the judgment of health officer or physician, public health demands. Upon recovery or death of patient, children are not permitted to attend school until 14 days have elapsed, provided they have not had the disease. Thorough renovation, scrubbing with soap and water and plentiful air to permeate the premises.

(f) In order to prevent epidemics and prevent the closure of schools, susceptible children must be isolated particularly from the ninth to fourteenth day after exposure. When whooping cough occurs in the schools, daily inspection of the children should be made in order to isolate and observe children showing early symptoms or any indefinite illness. City or county boards of health should provide immunization by free vaccine. If the above precautions are not observed, closing the schools and places of public gathering will be necessary. When an epidemic exists or is imminent, children should be prohibited from attending "movies," theaters, and all public assemblies.

SEC. 16. *Measles (rubella).*—(a) Highly communicable from direct and indirect contact with discharges from eyes, nose and throat. Infection is spread at least four days before skin eruption appears.

Incubation period from 7 to 14 days.

(b) Placard.

(c) Due to the seriousness of this disease, strict isolation should be maintained for at least 7 days after the appearance of the skin lesions. This period of isolation is extended when necessary to await the cessation of all eye, ear, nose, throat, and gland discharges and until the skin lesions are entirely cleared up.

(d) Adult members of the family may be permitted to attend to their occupations if direct contact with children does not occur and food supplies are not handled. This privilege may be withdrawn if in the opinion of the health officer or physician, public health is in danger.

(e) Children in the household who have had measles may attend school, provided they do not come in contact with the patient or sick-room articles. It is very important that nonimmunized children who do not reside on the isolated premises, when exposed must be isolated before skin eruption occurs. Isolation for observation should be for 10 days.

(f) When measles are prevalent in the community, all children before entering school should be closely observed for evidence of a cold in the head, sneezing and watery red eyes. Such children should be excluded from school at once and the health officer or physician notified. If the school is closed, the cases become scattered so it is more difficult to know where they are, hence it is generally not wise to close the schools, but in the rural districts where there is no medical inspection, it may become expedient to close the schools, beginning 9 days from the time the last child became ill.

(g) Terminal disinfection can be replaced by renovation, thorough cleansing and airing.

SEC. 17. *German measles.*—(a) Since German measles is often confused with a mild form of measles, it should be handled in the same manner as measles, except that isolation may be removed after 7 days from the beginning of the disease.

SEC. 18. *Chickenpox (varicella).*—(a) Communicable to adults and children.

Incubation period 10 to 20 days.

(b) Placard.

(c) Strict isolation for the patient for 14 days from the onset of the disease and continue unless exfoliation, crusts or scabs have cleared up.

(d) Adults and children in the household who have had the disease can go and come provided they do not come in contact with the patient or sick-room articles.

(e) Attendance at school is forbidden for any child of the family who has not had the disease. As mild smallpox closely resembles chickenpox, it is often mistaken for it. It is imperative that on the occurrence of chicken-pox in schools, children be examined daily. Any child suspected of having chicken pox must be reported to the health officer or physician.

(f) Terminal disinfection can be replaced by renovation, thorough cleansing and airing.

SEC. 19. *Mumps (epidemic parotitis)*.—(a) Communicable to adults and children from nasal, throat and salivary secretions. Contagion occurs before the appearance of any symptoms.

Incubation period 10 to 25 days.

(b) Placard.

(c) As a result of the serious sequelae and occasional deaths from epidemic parotitis, isolation for the patient is necessary until one week after swelling of parotid glands has subsided.

(d) Exclusion from school of children of the household who have not had the disease. Adult members of the family may come and go if they do not come in contact with the patient.

(e) Terminal disinfection may be replaced by thorough cleansing, renovation and airing of the quarters and their contents.

SEC. 20. *Typhoid and paratyphoid*.—(a) Derived from infected stools, urine, vomitus and sputum of persons infected with typhoid fever. Conveyed into the system by use of contaminated water, milk, oysters, or other food; more frequently by contact with infected persons or sick-room articles. Flies are carriers.

Incubation period 10 to 21 days.

(b) Placard.

(c) Isolation for patient in a room screened against flies. All bedding, clothing, dishes, and utensils of every description must be disinfected by boiling or soaking in a solution of formaldehyde. Bed-pans and urinals must be disinfected with copious amounts of quicklime before being emptied. The attendants' hands must be kept scrupulously clean. Members of the family must avoid coming in contact with patient or any sick-room articles.

(d) If the patient lives on a dairy farm, or is engaged in the handling of any food-stuffs, the sale of milk or any other product is prohibited unless special arrangements are made with the health officer or physician in compliance with regulations (a) and (c). The health officer is further empowered by regulation (b) to destroy all food products as provided in said regulation.

(e) Physicians in diagnosing cases must send in blood for a Widal test not earlier than the end of the second week. If paratyphoid is suspected, the State board of health should be notified so that the proper laboratory tests may be made. (If capillary tubes are not available, a few drops of blood, dried on a piece of glass slide or blotting paper, may be sent to the State board of health.)

(f) City or county boards of health should provide free prophylactic vaccine when necessary to protect the public against infection.

(g) In cases where persons are ill with typhoid fever in a hotel, lodging house, or camp, the health officer or physician shall strictly forbid any person having to do with the care of the patient from working at anything having to do with the preparation or handling of food.

(h) Physicians or health officers must immediately report these cases and ascertain the source of infection to prevent its further spread. A constant lookout should be maintained for suspected typhoid carriers and when found, reported to the State board of health.

(i) Terminal disinfection can be replaced by thorough renovation.

SEC. 21. *Poliomyelitis (infantile paralysis)*.—Isolation is a useful measure for limiting the spread of this disease. It is often, however, without demonstrable effect because of the general prevalence of unrecognized cases and carriers.

Isolation.—(1) An isolation period for the patient of not less than two weeks or more than three weeks from onset of the disease unless the temperature has not returned to normal in the meantime.

(2) Children of the same household in contact with the patient must be restricted from places of public assembly for a period of 14 days from last date of contact, as determined by the health officer.

(3) Adults of the household may continue their vocations provided they are not brought into contact with children at any time.

Disinfection.—(1) The discharge from the nose, throat and bowels of the patient must be disinfected promptly.

(2) The caretaker shall wash her hands with soap and hot water promptly after handling such discharges.

(3) The caretaker shall wash her hands similarly before leaving the room occupied by the patient.

(4) Isolation shall be terminated by a thorough washing of the entire body and the hair of the patient. The room should be thoroughly cleaned with soap and hot water and should be aired and sunned.

(5) Sick-room precautions should include the usual attention to cleaning and disinfection of eating utensils, personal and bed clothing, rugs, doorknobs and other things handled by the patient or caretaker.

Precautions for physicians and nurses.—Unless special covering and gloves be worn the physician and nurse shall so handle the patient that discharges shall not soil their clothing, special care being taken to prevent droplet infection. Physician and nurse should thoroughly wash their hands before leaving the premises.

Hospitalization.—The removal to hospitals of persons affected with poliomyelitis when proper care of patient can not be obtained at home is advised, but during the earlier stages of the disease the patient needs rest in bed and transportation to a hospital might be detrimental to his welfare.

Suggested measures in case of epidemic.—(1) Travel and contact with children should be discouraged.

(2) Surveillance of such persons as have been definitely exposed to the disease.

(3) The employment of public health nurses.

(4) The employment of expert diagnosticians and the use of the lumbar puncture.

(5) Food inspection.

(6) Daily medical inspection in schools.

(7) Screening of patients that insects may not have access to patient or his excretions.

(8) Exclusion of household pets from sick room.

(9) All children having fever should be isolated pending diagnosis.

(10) Prompt report of cases by telephone and telegraph in addition to the written case history required by law.

SEC. 22. *Cerebrospinal meningitis*.—(a) Communicable probably through nasal passages.

Incubation period one to five days or longer.

(b) Placard.

(c) Isolation of patient not less than 14 days.

(d) Other children in the family not permitted to attend school until 10 days have elapsed after termination of disease.

Adult members of the household may attend their occupations if no contact occurs with patient or if no food products are handled.

(e) If the patient lives on a dairy farm, or is engaged in the handling of any foodstuffs, the sale of milk or any other product is prohibited unless special arrangements are made with the health officer or physician in compliance with regulations (a) and (c). The health officer is further empowered by regulation (b) to destroy all food products as provided in said regulation.

(f) Terminal disinfection may be replaced by thorough cleansing and airing of room and its contents.

SEC. 23. *Tuberculosis*.—(a) Communicable from the sputum, secretions and excretions of tuberculous individuals. High percentage of infection occurs in early childhood from contaminated milk or food and contact with afflicted members of family. Insects may transmit the disease.

Incubation period varies.

(b) Reportable by law (see chapter 115² of session laws 1913). Report every case of tuberculosis to the local health officer within 24 hours after diagnosis is made, upon the proper blank.

(c) The physician or health officer should instruct the patient and members of the family how to prevent the spread of infection by compelling the proper use of sputum cups and the burning or proper disposal of cloths used for the collection of sputum or other secretions. Hospital care should be encouraged wherever it is possible.

(d) Physicians must notify the health officer whenever premises are vacated by death or removal of any patient having tuberculosis.

(e) Premises vacated, must be cleansed and renovated by the owner before being reoccupied. If the work is not started within 48 hours after the order is issued by the health officer or physician, the premises must be placarded notifying the occurrence, until renovation has been completed.

(f) Bedding, furniture, and household goods are not permitted to be sold or moved to other quarters unless thoroughly disinfected, cleansed, renovated and aired, under the supervision of the health officer or physician.

(g) Any person afflicted with pulmonary tuberculosis or any discharging tuberculosis lesion, is prohibited from working as a teacher, or janitor in any school; in a dairy; as a cook or food handler in any hotel, restaurant, hospital, sanitarium or other institution. Employment as janitor, sexton, or caretaker is prohibited in any church, hall, lodge, clubroom, auditorium, public building, or any other place used for public assemblies or meetings of any character.

(h) The laboratory of the State board of health will examine sputum for the presence of tubercle bacilli, free of charge.

SEC. 24. *Trachoma*.—(a) Communicable to the eyes by infected hands, towels, washbasins, bedding, clothing and handkerchiefs.

Incubation period is indefinite.

(b) Children with eyes infected by trachoma must not attend school until cured.

(c) Physician or health officer must instruct members of the family how to avoid infection through extreme cleanliness. Secretions from the eyes should be collected in gauze or in cheese cloth and burned.

SEC. 25. *Ophthalmia neonatorum (infected eyes in the newborn)*.—(a) An infection of the eyes of infants by gonococci communicated during or shortly after birth.

Incubation period a few hours to several days.

(b) Isolation of mother and child recommended.

(c) Reportable by law on special blank according to chapter 210,³ session laws of 1915.

(d) Physicians should instruct members of the family on extreme cleanliness. All contaminated dressings should be burned.

(e) After the baby is born and has been cleansed in the usual manner, wash the eyes with the following solution of boracic acid: One pint of cold boiled water to

² Pub. Health Repts. Reprint 264, p. 384.

³ Pub. Health Repts. Reprint 338, p. 426.

which is added two teaspoonfuls of boracic acid. Open the lids carefully and drop in the eyes two or three drops of freshly prepared 2 per cent solution of silver nitrate (silver nitrate, nine grains; distilled water, one ounce).

If an infant's eyes have not been cared for and inflammation occurs in them before treated as outlined above, a smear on a glass slide should be made of the discharge from the eye and an examination made for gonococci. The laboratory of the State board of health will examine such specimens free of charge.

SEC. 26. *Pneumonia*.—(a) Communicable through inhalation.

Incubation period 1 to 4 days.

(b) Isolate patient until well. Burn or disinfect all contaminated articles, infected sputum and discharges from nose and throat.

(c) Terminal disinfection may be replaced by thorough cleanliness, renovation and airing of room and contents.

SEC. 27. *Influenza (la grippe)*.—(a) Communicable through infected secretions from nose, throat and respiratory tract.

Incubation period 7 to 14 days.

(b) Strict isolation of patient until well. Members of family who do not attend patient should be forbidden access to sick-room.

(c) Health officer or physician should instruct the community on the dangers of the use of the common drinking cup, roller towels, kissing, droplet infection, handkerchiefs, pipes, toys, soda water glasses, spoons and other articles recently mouthed. Ventilation of all public places should be observed and overcrowding should be avoided.

(d) Children of the family may attend school if contact with patient or sick-room articles is avoided. If in the judgment of the health officer or physician it is deemed necessary, this may be withdrawn.

(e) Children having the infection or a severe cold shall be excluded from school until well.

(f) So-called severe colds are to be dealt with the same as influenza.

(g) Terminal disinfection may be replaced by thorough cleansing, renovation and airing of the room and its contents.

SEC. 28. *Impetigo contagiosa*.—(a) A highly communicable skin disease. Communicated by contact and wearing apparel. The infection remains in wearing apparel for several months.

Incubation period a few hours to several days.

(b) Isolation of patient for two weeks or longer, until skin lesions clear up.

(c) Burn or disinfect all contaminated articles.

(d) Any child having impetigo shall be excluded from school.

(e) Physicians, health officers, and teachers should furnish infected pupils and their parents with instructions in opening pustules and applying an ointment such as five grains to one-half scruple of ammoniated mercury to one ounce of cold cream or vaseline.

(f) Terminal disinfection and renovation required.

SEC. 29. *Scabies*.—(a) A skin disease communicable by contact with infected persons and handling articles used by them.

(b) Incubation period varies.

(c) Patient should be isolated until recovery. Members of the household should be instructed how to avoid infection.

(d) Children should be excluded from school. Physicians, health officers, and teachers should instruct the patient how to prevent the spread of infection and to use an ointment containing one to two drachms of sulphur to an ounce of lanolin or vaseline.

(e) Terminal disinfection can be replaced by renovation.

SEC. 30. *Favus*.—(a) Communicable by contact with a fungus which enters the hair follicles.

(b) The child should be isolated and placed under the care of a physician or health officer.

(c) Children should be excluded from school.

(d) Articles contaminated should be disinfected. Terminal disinfection may be replaced by thorough cleansing and airing.

SEC. 31. *Erysipelas*.—(a) A severe infection of the skin, mucous membranes and underlying tissues. Communicable through contact with fomites in the air.

Incubation period 3 to 10 days.

(b) Isolate patient until recovery.

(c) Exclude from school.

(d) All contaminated articles should be burned or disinfected.

(e) Terminal disinfection necessary.

SEC. 32. *Glanders (farcy)*.—(a) A dangerous disease contracted from horses; man to man infection is less common. The virus exists in nasal discharges and the infection comes through ulcers and abscesses.

Incubation period 1 to 5 days.

(b) Isolation of patient until recovery.

(c) Extreme care should be observed in handling the patient, as the discharges are highly infectious. Burn all dressings and disinfect all sick-room articles.

(d) Terminal disinfection necessary.

SEC. 33. *Anthrax (wool-sorters' disease—common malignant pustules)*.—(a) Dangerous and fatal disease to man and animals. Conveyed by virus entering small abrasions of skin or mucous membrane. Infection occurs also by inhalation of spores.

Incubation period one to three days.

(b) Isolate until death or recovery.

(c) Burn all contaminated dressings, etc.

(d) Terminal disinfection required.

SEC. 34. *Actinomycosis (lumpy jaw)*.—(a) A disease of cattle and domestic animals often communicated to man. Conveyed by food and drink, sometimes through air passages.

Incubation period is indefinite.

(b) Isolation of patient until well.

(c) Patient should be instructed to keep ulcers dressed. When the lungs are affected, the case should be handled as outlined for tuberculosis. All cloths and other articles contaminated with discharges should be burned. Intimate contact with patient should be avoided.

(d) Terminal disinfection necessary.

SEC. 35. *Hookworm (uncinariasis)*.—(a) Infection derived from soil.

(b) Very important that these cases be reported. Stools of suspected cases will be examined by the laboratory of the State board of health.

(c) Isolation of patient.

(d) Excreta of patient must be disinfected.

(e) Extreme cleanliness and sanitary precautions are necessary.

(f) Terminal disinfection can be replaced by renovation.

SEC. 36. *Bubonic plague, leprosy, typhus and yellow fever*.—(a) The State board of health should be immediately notified by wire of the occurrence of any of these diseases.

(b) Special measures will be enacted by the State and Federal authorities upon being notified.

* * * * *

RULES FOR HANDLING DISINFECTION.

SEC. 38. *Terminal disinfection.*—This term means the destruction of infective agents in premises after the termination of quarantine or death from a dangerous communicable disease. Disinfection which is not coupled with thorough renovation, scrubbing with soap and water and the free admission of air and sunlight, and the destruction of all unnecessary clutter is useless and, in fact, dangerous, because of the creation of a strong odor resulting in a sense of false security. Disinfectant agents are varied and the popularity of their usage depends upon the market price of materials employed. It is obvious that before disinfection or fumigation is resorted to, no articles exposed to infection should be removed from the premises. The method of disinfection employed is decided upon by the contents of the room. Efforts should be made to minimize damage of costly or easily ruined articles. Attendants or recovered patients should not be released from quarantine until a disinfectant bath has been taken. Terminal disinfection is required in diphtheria, scarlet fever, septic sore throat, smallpox, anterior poliomyelitis, tuberculosis, erysipelas, glanders, anthrax, actinomycosis and leprosy.

SPECIAL REGULATIONS.

REGULATION A. When a case of diphtheria, epidemic or septic sore throat, smallpox, typhoid fever, infantile paralysis, scarlet fever, epidemic cerebrospinal meningitis, amebic or bacillary dysentery exists on any farm or dairy producing milk, cream, butter, cheese, or other products likely to be consumed raw, no such food shall be sold or delivered from such farm or dairy except under the following provisions:

- (1) That such foods are not brought into the house where such case exists;
- (2) That all persons coming in contact with such foods eat, sleep, and work wholly outside such house;
- (3) That such persons do not come in contact in any way with such house or its inmates or contents;
- (4) That such inmates are properly isolated and separated from all parts of said farm or dairy;
- (5) That a permit be issued by the health officer.

REG. B. In case diphtheria, epidemic or septic sore throat, smallpox, typhoid fever, infantile paralysis, scarlet fever, epidemic cerebrospinal meningitis, amebic or bacillary dysentery, exists on any farm or dairy producing milk, cream, butter, cheese, or other products likely to be consumed raw, the State health officer or local health officer may destroy or order the destruction of any such foods as in his opinion may be so contaminated as to be a source of danger, and local authorities may compensate owners for food so destroyed.

REG. C. No person affected with any communicable disease shall handle food or food products intended for sale which are likely to be consumed raw or liable to convey infectious material.

No person who resides, boards or lodges in a household who comes in contact with any person affected with diphtheria, epidemic or septic sore throat, smallpox, typhoid fever, infantile paralysis, scarlet fever, epidemic cerebrospinal meningitis, amebic or bacillary dysentery, shall handle food or food products intended for sale.

QUARANTINE WITH REFERENCE TO COMMON CARRIERS.

No common carrier or other person shall bring into the State of Oregon any person sick or suspected to be sick with Asiatic cholera, smallpox, yellow fever, typhus fever, diphtheria, membranous croup, scarlet fever, bubonic plague or any other dangerous, contagious or infectious disease.

When any railway car, steamboat, sailing vessel or other conveyance coming from a place or locality declared by the State board of health to be infected with cholera,

smallpox, typhus fever, yellow fever, or bubonic plague, or having on board any person or persons affected with any of the above-named diseases, enters any port or place in the State of Oregon, such railway car, steamboat, sailing vessel or other conveyance, and the crew, officers, passengers, baggage, merchandise, and freight shall be subject to such inspection and disinfection as may be ordered by the State board of health. The expense of such disinfection must be borne by the common carrier or persons bringing such disease into the State.

If any person is found on any railway car, steamboat, sailing vessel, or other conveyance, who is sick or expected to be sick with any of the diseases named in above paragraph, he or she shall be removed by the health authorities within whose jurisdiction such person is found, and isolated and properly cared for until the termination of the disease; and the necessary expense of such isolation and care, if the person so removed is unable to pay the same, shall be a valid claim against and be refunded by the owners, agents, or assignees of the railway car, steamboat, or sailing vessel, or other conveyance from which said person or persons were removed.

It shall be the duty of the conductor of any railway car, and of the master or pilot of any steamboat or sailing vessel, and of the driver of other conveyances, going into a place or port within the State of Oregon, to immediately notify, by telegraph or telephone, the secretary of the State board of health of any case or suspected case of cholera, smallpox, yellow fever, typhus fever, or bubonic plague occurring on such train, conveyance, or vessel within the limits of the State of Oregon.

Communicable Diseases—Prevention of Spread Through Merchandise—Use of Public Conveyances by Infected Persons Prohibited. (Ch. 387, Act Feb. 21, 1917.)

SECTION 1. The term "merchandise" as used is meant to include clothing, wearing apparel of every description, hair goods, brushes, rubber goods, mattresses, blankets, sheets, comforters, pillows, and other kinds of bedding.

SEC. 2. It shall be unlawful for any person, firm or corporation having delivered merchandise as hereinabove enumerated, to any person, persons, firm or institution at or thereafter taken to any place where a contagious or infectious disease exists or may exist, after the delivery of such merchandise, to accept the return of such merchandise and intermingle the same with other goods for sale or offer the same for sale or sell the same, or to receive any merchandise from any place or premises where any contagious or infectious disease exists or has existed, and intermingle such goods with other goods for sale or offer the same for sale or sell the same, until such merchandise has been thoroughly disinfected under the direction of the city or county board of health.

SEC. 3. It shall be unlawful for any person knowing himself or herself to be afflicted with a contagious disease to use any public conveyance, street car, railroad car, or taxicab, and it shall also be unlawful for any person or persons to knowingly assist such afflicted person by the use of any such public conveyance, and such persons shall be liable for punishment under this act.

SEC. 4. Any person violating the provisions of this act shall be punished by a fine of not less than \$25 nor more than \$50, or by imprisonment for not less than one month nor more than six months, or by both such fine and imprisonment.

Venereal Diseases—Investigation—Examination of Suspected Cases—Isolation—Quarantine—Suppression of Prostitution. (Reg. Bd. of H., Dec. 20, 1917.)

SEC. 37. RULE 1. All State health officers and all city, county and other local health officers are hereby directed to use every available means to ascertain the existence of, and immediately to investigate, all suspected cases of syphilis in the infectious stages and gonococcus infection within their several territorial jurisdictions, and to ascertain the sources of such infections.

RULE 2. In such investigations, all said health officers are hereby vested with full powers of inspection, examination, isolation and disinfection of all persons, places and things as provided by law and the rules, orders and regulations of the State board of health, and all such officers are hereby directed:

(a) To make examinations of persons reasonably suspected of having syphilis in the infectious stages or gonococcus infection, (owing to the prevalence of such diseases among prostitutes all such persons may be considered within the above class).

(b) To isolate such persons whenever in the opinion of said local health officer, the State board of health or its secretary, isolation is necessary to protect the public health. In establishing isolation the health officer shall define the limits of the area in which the persons reasonably suspected or known to have syphilis or gonococcus infection and his immediate attendant, are to be isolated, and no persons, other than the attending physicians, shall enter or leave the area of isolation without the permission of the health officer.

(c) In making examinations and inspections of women for the purpose of ascertaining the existence of syphilis or gonococcus infection, to appoint women physicians for said purpose where the services of a woman physician are requested or demanded by the person examined.

(d) In cases of quarantine or isolation, not to terminate said quarantine or isolation until the cases have become noninfectious or until permission has been given by the State board of health or its secretary.

Cases of gonococcus infection are to be regarded as infectious until at least two successive smears taken not less than 48 hours apart fail to show gonococci.

Cases of syphilis shall be regarded as infectious until all lesions of the skin or mucous membrane are completely healed.

(e) Inasmuch as prostitution is the most prolific source of syphilis and gonococcus infection, all health officers are directed to use every proper means of suppressing the same, and not to issue certificates of freedom from venereal disease, as such certificates may be used for the purpose of solicitation.

(f) To keep all records pertaining to said inspections and examinations in files not open to public inspection, and to make every reasonable effort to keep secret the identity of those affected by venereal disease, and control measures as far as may be consistent with the protection of the public health.

County and District Tuberculosis Hospitals—Establishment, Maintenance, and Control. (Ch. 82, Act Feb. 10, 1917.)

SECTION 1. *Establishment of county hospitals for tuberculosis.*—The board of county commissioners of any county in this State shall have the power by a majority vote to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis. The board of commissioners of any county may submit the question of establishing such a hospital to the voters of the county at any general election at which public officers are elected. The board of commissioners shall fix the sum of money deemed necessary for the establishment of said hospital. The form of the proposition submitted shall read as follows: "Shall the county of _____ appropriate the sum of _____ dollars for the establishment of a tuberculosis hospital?" The notices of the general election shall state that the proposition will be voted upon and in the form set forth. Provision for taking such vote and for canvassing and returning of the result shall be made by the duly constituted election authorities.

If a majority of the voters voting on such proposition shall vote in favor thereof, then such hospital shall be established hereunder and the sum of money named in the said proposition shall be deemed appropriated, and it shall be the duty of the board of county commissioners to proceed forthwith to exercise the powers and authority conferred upon it in this section.

When the board of county commissioners of any county shall have voted to establish such hospital, or when a referendum on the proposition of establishing such a hospital in a county as authorized above shall have been carried, the board of county commissioners shall have the following powers:

1. To purchase or lease real property therefor, or acquire such real property and easements therein, by condemnation proceedings, in the manner prescribed by law to regulate the ascertainment or payment of compensation for property condemned or taken for public use.

2. To erect all necessary buildings and alter any buildings on the property when acquired for the use of said hospital: *Provided*, That the plans for such erection or alteration shall first be approved by the State board of health.

3. To cause to be assessed, levied, and collected such sums of money as it shall deem necessary for suitable lands, buildings, and improvements for said hospital, and for the maintenance thereof, and for all other necessary expenditures thereof; and to borrow money for the erection of such hospital and for the purchase of a site thereof [therefor] on the credit of the county, and issue county obligations therefor in such manner as it may do for other county purposes.

4. To employ visiting nurses whose duties shall be as follows: To discover and investigate any tuberculosis cases existing in such county; to give instruction to tuberculosis patients and others in such county relative to hygienic or sanitary measures to be observed in preventing the spread of such disease; to act as visiting nurses throughout the county and to perform such other duties as nurses and hygienic experts as may be assigned to them by the county board; to report communicable diseases of which they have any knowledge to the county authorities and to the State board of health; and to perform such other duties as may be designated by such board of county commissioners: *Provided*, That in counties where there are no county tuberculosis hospitals, the board of county commissioners may also have the power to employ such nurse or nurses. Such visiting nurse shall at the end of each month make a report in writing to the county clerk, which report shall show the visits made during the month then ending and the requests made to her for services and such other information as the county board may from time to time require.

5. To appoint a board of managers for said hospital as hereinafter provided.

6. To accept and hold in trust for the county any grant or devise of land, or any gift or bequest of money or other personal property, or any donation to be applied, principal or interest, or both, for the benefit of said hospitals, and apply the same in accordance with the terms of the gift.

SEC. 2. *Appointment and terms of office of managers.*—When the board of county commissioners shall have determined to establish a hospital for the care and treatment of persons suffering from tuberculosis, and shall have acquired a site therefor, and shall have awarded contracts for the necessary buildings and improvements thereon, it shall appoint three citizens of the county, of whom at least one shall be a practicing physician, who shall constitute a board of managers of the said hospital. The term of office of each member of said board shall be three years, and the term of one of such managers shall expire annually; the first appointment shall be made for the respective terms of three, two and one years. Appointments of successors shall be for the full term of three years, except that appointment of persons to fill vacancies occurring by death, resignation or other cause shall be made for the unexpired term. Failure of any manager to attend three consecutive meetings of the board shall cause a vacancy in his office, unless said absence is excused by formal action of the board of managers. The managers shall receive no compensation for their services, but shall be allowed their actual and necessary traveling and other expenses, to be audited and paid, in the same manner as the other expenses of the hospital by the board of commissioners. Any manager may at any time be removed from office by the board of commissioners of the county for cause, after an opportunity to be heard.

SEC. 3. *General powers and duties of managers.*—The board of managers:

1. Shall elect from among its members a president and vice president. It shall appoint a superintendent of the hospital who shall be also the treasurer and secretary of the board and shall hold office at the pleasure of said board. Said superintendent shall not be a member of the board of managers, and shall be a graduate of an incorporated medical college, with an experience of at least three years in the actual practice of his profession.

2. Shall fix the salaries of the superintendent and all other officers and employes within the limits of the appropriation made therefor by the county commissioners, and such salaries shall be compensation in full for all services rendered.

3. Shall have the general superintendence, management and control of said hospital, of the grounds, buildings, officers and employees thereof; of the inmates therein, and of all matters relating to the government, discipline, contracts and fiscal concerns thereof; and make such rules and regulations as may seem to them necessary for carrying out the purposes of such hospital.

4. Shall maintain an effective inspection of said hospital and keep itself informed of the affairs and management thereof; shall meet at the hospital at least once in every month, and at such other times as may be prescribed in the by-laws; and shall hold its annual meeting at least three weeks prior to the meeting of the board of county commissioners at which appropriations for the ensuing year are to be considered.

5. Shall keep in a book provided for that purpose a proper record of its proceedings which shall be open at all times to the inspection of its members, to the county commissioners, and to duly authorized representatives of the State board of health.

6. Shall certify all bills and accounts, including salaries and wages, and transmit them to the county commissioners, who shall provide for their payment in the same manner as other charges against the county are paid.

7. Shall make to the county commissioners annually, at such time as said commissioners shall direct, a detailed report of the operations of the hospital during the year, the number of patients received, the methods and results of their treatment, together with suitable recommendations and such other matters as may be required of them; and full and detailed estimates of the appropriations required during the ensuing year for all purposes, including maintenance, the erection of buildings, repairs, renewals, extensions, improvements, betterments or other necessary purposes.

8. Shall, notwithstanding any other general or special law, erect all additional buildings found necessary after the hospital has been placed in operation and make all necessary improvements and repairs within the limits of the appropriations made therefor by the county commissioners: *Provided*, That the plans for such additional buildings, improvements or repairs, shall first be approved by the State board of health.

SEC. 4. *General powers and duties of the superintendent.*—The superintendent shall be the chief executive officer of the hospital and subject to the by-laws, rules and regulations thereof, and to the power of the board of managers:

1. Shall, subject to the approval of the board of managers, equip the hospital with all necessary furniture, appliances, fixtures, and other needed facilities for the care and treatment of patients and for the use of officers and employees thereof, and shall in counties where there is no purchasing agent purchase all necessary supplies.

2. Shall have general supervision and control of records, accounts, and buildings of the hospital and all internal affairs, and maintain discipline therein, and enforce compliance with, and obedience to, all rules, by-laws, and regulations, adopted by the board of managers for the government, discipline, and management of said hospital and the employees and inmates thereof. He shall make such further rules, regulations, and orders as he may deem necessary, not inconsistent with law, or with the rules, regulations and directions of the board of managers.

3. Shall, with the consent of the board of managers, appoint such resident officers and such employees as he may think proper and necessary for the efficient performance of the business of the hospital, and prescribe their duties; and may discharge any such officer or employee at his discretion.

4. Shall keep or cause to be kept proper accounts and records of the business and operations of the hospital in books and on records provided for that purpose; and see that such accounts and records are correctly made up for the annual report to the board of county commissioners, as required by subdivision 7 of section 3 of this chapter, and shall present the same to the board of managers, who shall incorporate them in their report to said commissioners.

5. Shall receive into the hospital in the order of application, any resident found to be suffering from tuberculosis in any form. Said superintendent shall keep or cause to be kept proper accounts and records of the admission of all patients, their name, age, sex, color, marital condition, residence, occupation and last place of employment.

6. Shall cause a careful examination to be made of the physical condition of all persons admitted to the hospital and provide for the treatment of each such patient according to his needs; and shall cause a record to be kept of the condition of each patient when admitted and from time to time thereafter.

7. Shall discharge from said hospital any patient who shall willfully or habitually violate the rules thereof; or who is found not to have tuberculosis; or who is found to have recovered therefrom; or who for any other reason is no longer a suitable patient for treatment therein.

8. Shall collect and receive all moneys due to the hospital, keep an accurate account of the same, report the same at the monthly meeting of the board of managers, and transmit the same to the treasurer of the county within 10 days after such meeting.

9. Shall before entering upon the discharge of his duties, give a bond in such sum as the board of managers may determine, to secure the faithful performance of such duties.

SEC. 5. *Admission of patients from county in which hospital is situated.*—Any resident of the county in which the hospital is situated desiring treatment in such hospital, may apply in person to the superintendent or to any reputable physician for examination and such physician, if he finds that said person is suffering from tuberculosis in any form, may apply to the superintendent of the hospital for his admission. Blank forms for such application shall be provided by the hospital, and shall be forwarded by the superintendent thereof gratuitously to any reputable physician in the county upon request. So far as practicable, applications for admission to the hospital shall be made upon such forms. The superintendent of the hospital, upon receipt of such applications, if it appears therefrom that the patient is suffering from tuberculosis, and if there be a vacancy in the said hospital, shall notify the person named in such application to appear in person at the hospital. If upon personal examination of such patient, or of any patient applying in person for admission, the superintendent is satisfied that such person is suffering from tuberculosis, he shall admit him to the hospital as a patient. All such applications shall state whether, in the judgment of the physician, the person is able to pay in whole or in part for his care and treatment while at the hospital; and every application shall be filed and recorded in a book kept for that purpose in the order of their [its] receipt. When said hospital is completed and ready for the treatment of patients, or whenever thereafter there are vacancies therein, admission to said hospital shall be made in the order in which the names of applicants shall appear upon the application book to be kept as above provided, insofar as such applicants are certified to by the superintendent to be suffering from tuberculosis. No-discrimination shall be made in the accommodation, care or treatment of any patient because of the fact that the patient or his relatives contribute to the cost of his maintenance in whole or in part, and no patient shall be permitted to pay for his maintenance in such hospital a greater sum than

the average per capita cost of maintenance therein, including a reasonable allowance for the interest on the cost of the hospital, and no officer or employe of such hospital shall accept from any patient thereof any fee, payment or gratuity whatsoever for his services.

SEC. 6. *The maintenance of patients in the county in which the hospital is situated.*—Whenever a patient has been admitted to said hospital from the county in which the hospital is situated, the superintendent shall cause such inquiry to be made as he may deem necessary as to his circumstances, and of the relatives of such patients legally liable for his support. If he finds that such patient, or said relatives, are able to pay for his care and treatment in whole or in part, an order shall be made directing such patient or said relatives, to pay to the treasurer of such hospital for the support of such patient a specified sum per week, in proportion to their financial ability, but such sum shall not exceed the actual per capita cost of maintenance. If the superintendent finds that such patient, or said relatives, are not able to pay, either in whole or in part, for his care and treatment in such hospital, said patient shall be admitted free of charge.

SEC. 7. *Admission of patients from counties not having a hospital.*—Any resident of the State of Oregon living outside of a county maintaining a tuberculosis hospital may apply for treatment, or any city, village or county may apply on behalf of its charges and the same may be provided for under a stipulated agreement by the party, municipality or county to pay a weekly sum designated by the board of managers of such hospital, but nonresidents of a county shall not be provided for to the exclusion of residents of said county.

SEC. 8. *Visitation and inspection.*—The resident officer of the hospital shall admit the managers into every part of the hospital and the premises and give them access on demand to all books, papers, accounts and records pertaining to the hospital and shall furnish copies, abstracts and reports whenever required by them. All hospitals established or maintained under the provisions of this act shall be subject to inspection by any duly authorized representative of the State board of health.

SEC. 9. *Hospitals at poor farms.*—Whenever a hospital for the care and treatment of persons suffering from tuberculosis exists in connection with, or on the grounds of a county almshouse the county commissioners may, after this act takes effect, appoint a board of managers for such hospital and such hospital and its board of managers shall thereafter be subject to all the provisions of this act in like manner as if it had been originally established hereunder. Any hospital for the care and treatment of tuberculosis which shall hereafter be established by any board of county commissioners shall be subject to all the provisions of this act. No hospital authorized under the provisions of this act shall hereafter be located on the grounds of an almshouse.

SEC. 10. *Joint hospitals or district hospitals.*—The county boards of commissioners of any contingent [contiguous?] counties, not to exceed five, may form themselves into a joint board for the purpose of establishing and maintaining a district hospital for the care and treatment of persons suffering from tuberculosis. The county board of each county desiring to unite for such purpose may appoint three persons, and all persons so appointed shall constitute a joint committee to obtain a site and erect the necessary buildings thereon, and the powers and duties of such a joint committee shall terminate when the buildings are erected and ready for occupancy. In the selection and acquirement of such site the joint board shall have the same powers as the county board of commissioners. They may receive and hold in trust for the use and benefit of such institution any grant or devise of land and any donation or bequest of money or other personal property that may be made for the establishment and support thereof.

SEC. 11. Before such joint committee, proposing to erect such an institution, shall proceed to the construction of such an institution, it shall cause complete plans, drawings, and specifications for the buildings of such institution to be prepared and submitted to the State board of health for its approval. No buildings shall be con-

structed until after the site has been approved by the State board of health. After the plans, drawings and specifications have been approved by the State board of health, the joint committee may proceed with the construction of the buildings for such institution.

SEC. 12. At the time or before the completion of such district hospital the joint boards shall elect a board of managers to consist of one member from each county represented. The terms of such managers shall be as follows: One for one year, one for two years, and where three counties are represented, one for three years, one for four years if four counties are represented, and one for five years if five counties are represented, and annually thereafter the board of county commissioners of any county in which the term of manager or managers expires shall appoint such manager or managers for a term of as many years as there are counties represented, and until his or their successors are elected and qualified. Any vacancy shall be filled by an election in like manner for the unexpired term of the original appointment. The board of county commissioners of any county may remove any manager for good and sufficient cause.

SEC. 13. Such managers shall serve without compensation except that they shall receive their actual expenses incurred in the performance of their duties. The managers shall have the same powers and duties as those defined for the board of managers of a county hospital.

SEC. 14. The first cost of the tuberculosis hospital, including the cost of equipment and the cost of improvements and additions thereto, shall be paid by the counties comprising the district in proportion to the taxable property of each county as shown by their respective tax rolls.

SEC. 15. The superintendent shall prepare a quarterly statement which shall be approved by the board of managers, showing the daily cost for the current expense of maintaining such hospital, including the cost of the ordinary repairs, and each county in the district shall pay its share of such cost as determined by the number of days the total number of patients from such county have spent in the hospital during the quarter, but the sum paid by the patients from such county for their treatment therein shall be deducted from this amount. The county boards of commissioners of counties jointly maintaining a district hospital for tuberculosis shall make annual assessments of taxes sufficient to support and defray all necessary expenses of such hospital.

SEC. 16. All taxes levied by the county board of commissioners of any county under the provisions of this law shall, when collected, be paid over to the treasurer of the district tuberculosis hospital by the treasurers of the joint counties and the treasurer of said board of managers shall receipt therefor and shall create a fund to be known as the "tuberculosis hospital fund" and thereupon said funds may be disbursed by said board of managers for the use of said district tuberculosis hospital and accounted for as provided in the foregoing sections. The treasurer of the board of managers shall give a bond for the faithful performance of his duties in such sum as may be fixed by the managers. The expenses of such bond to be paid out of the fund for the maintenance of the hospital. The bond of such treasurer shall be filed with the county clerk of the county in which such institution is located.

SEC. 17. Said board of managers shall meet at the tuberculosis hospital monthly and at such other times as they may deem necessary. They shall annually file with the joint committee a report of their proceedings with reference to such district hospital, and a statement of all receipts and expenditures during the year, and at such time shall certify to the county boards of the different counties the amount necessary to maintain and improve the hospital for the ensuing year.

SEC. 18. The provisions of sections 5, 6, and 7, inclusive, of this act, in so far as they relate to applications for admission, medical examinations, and pay patients

shall be applicable in all cases where joint tuberculosis hospitals are erected and maintained.

Sec. 19. That sections 4708, 4709, 4710, 4711, 4712, and 4713 of Lord's Oregon Laws be and the same are hereby repealed.

Hospitals and Sanatoriums—Sanitary Regulation. (Reg. Bd. of H., Sept. 22, 1917.)

1. The food shall be abundant in quantity and of a quality that will insure the proper nourishment of the body and suitable for the person for whom it is prepared.

2. The water must be free from contamination, and presence of colon bacilli will be considered *prima facie* evidence of contamination.

3. The beds must be comfortable and clean, and in no instance shall more than one patient be allowed to occupy one bed.

4. Ventilation shall be provided so that each patient shall have 3,000 cubic feet of air per hour.

5. Barns or stables must not be within 200 feet of the hospital or sanitarium, and the manure must be removed at frequent intervals or kept in a screened box and disinfected with an acceptable insecticide.

6. Screens must be provided on all of the windows and doors of any room or ward in which anyone is ill of any disease whatever. The windows and doors of all dining rooms must be screened to provide for the exclusion of flies.

7. One or more bathtubs must be provided in every institution sufficient to provide for bodily cleanliness of all patients.

8. The use of a roller towel is forbidden, particular [sic] in any case where there is any eruptive or communicable skin disease.

9. It is recommended that there be provided isolation rooms in which each patient shall be confined for a period of at least two weeks to prevent epidemics of contagious diseases.

10. All buildings of more than one story in height must be fitted with one or more outside stairways, chutes, or fire escapes to provide for the rapid emptying of the building in case of fire.

11. Rooms used for sitting rooms, or rooms in which patients are confined, except while in bed, must be heated in winter sufficiently to insure bodily comfort for the patients.

12. In hospitals or sanatoria having no sewer connections the use of a septic tank is recommended. Where this is impossible, a dry earth closet may be used where the excreta shall be covered with dry earth or ashes, to which is added 1 per cent of Paris green.

13. All pools of stagnant water must be drained, or, if this is not possible, covered at least three times a year with crude oil to prevent the breeding of mosquitoes.

14. Patients must in all instances be kindly cared for, and punishment of a corporal nature is absolutely forbidden.

Milk and Milk Products—Pasteurization. (Ch. 332, Act Feb. 20, 1917.)

SECTION 1. That for the purposes of this act, milk shall be construed to include cream; and milk products shall include butter, cheese, ice cream, condensed milk, evaporated cream, ice milk, skim milk, buttermilk and whey.

SEC. 2. That from and after September 1, 1917, it shall be unlawful for any person, firm, company, corporation or association, to sell or exchange or offer or expose for sale or exchange, for human consumption any milk from cows that have not passed the tuberculin test, unless such milk shall have been pasteurized as hereinafter provided. It is understood and hereby expressly stated that nothing in this section shall apply to the delivery of milk or cream to creameries or cheese or condensed milk factories by the producer of such milk or cream, or in bulk to the wholesale trade.

SEC. 3. It shall be unlawful for any person, firm, company, corporation or association to deliver, exchange, sell or offer or expose for delivery, exchange or sale any milk product made from milk, except cheese, from cows that have not passed the tuberculin test, unless such milk product, before, during or subsequent to any manufacturing process used to produce such milk product, shall have been pasteurized as provided in this act.

SEC. 4. The process of pasteurization as applied to milk, and milk products, is hereby defined to be a thermal process for the elimination therefrom of bacteria or germ life, which process shall consist of uniformly heating such milk or milk products to a temperature of not less than 140 degrees F., and of holding the same at said temperature for a period of not less than 30 minutes, and immediately thereafter of cooling the same to a temperature of not above 50 degrees F.; or by heating said milk, or milk products, as the case may be, to a temperature of not less than 180 degrees F. and immediately thereafter cooling the same to a temperature of not above 50 degrees F.: *Provided, however,* That when cream is pasteurized to be used and is used in the manufacture of butter or when milk is pasteurized to be used, and is used, in the manufacture of a milk product, and where the process of manufacture, in either case, is to begin immediately, then it shall not be required that such cream or milk be cooled to a lower temperature than is necessary for such manufacturing process.

SEC. 5. All pasteurized cream or milk used in the manufacture of pasteurized butter or milk products, shall be pasteurized at and in the plant where such butter or milk product, as the case may be, is manufactured therefrom. Repasteurization of milk is hereby expressly forbidden.

SEC. 6. It shall be unlawful for any person, company, corporation or association, to sell, exchange or deliver or have in his or its possession for sale, exchange or delivery, any milk product or any byproduct from the manufacture of such milk product marked or in any manner indicated to be pasteurized that shall not have been pasteurized as hereinbefore specified.

SEC. 7. It shall be the duty of the dairy and food commissioner to provide such rules and regulations as may be necessary to carry the provisions of this act into effect; and it shall be unlawful to violate any such rule or regulation.

SEC. 8. Milk from any cow or cows whose owner or lessee shall apply to the State live stock sanitary board to have such cow or cows tuberculin tested, shall be exempt from all of the provisions of this act until such cows shall have been so tested.

SEC. 9. Any person who shall violate any of the provisions of this act, upon conviction thereof, shall be fined not less than \$10, nor more than \$100, for each violation thereof. Any company, corporation or association violating any of the provisions of this act shall be liable to a penalty of not less than \$10, nor more than \$100, for each violation, and any officer or agent who shall direct, conceal, perform or omit to perform such act in violation of any of the provisions of this act, upon conviction thereof, shall be fined not less than \$10, nor more than \$100, for each violation thereof. All penalties imposed for violation of any of the provisions of this act shall be recovered by an action at law by the State.

SEC. 10. Justice courts, district courts and municipal courts sitting as justice courts shall have concurrent jurisdiction with the circuit courts of all prosecutions arising under this act. The district attorney or county attorney is authorized to institute prosecutions for violations of this act by information or the same may be instituted by indictment or by complaint verified before any magistrate.

Condensed and Evaporated Milk—Manufacture and Sale. (Ch. 63, Act Feb. 9, 1917.)

SECTION 1. Section 53 of chapter 343 of the general laws of Oregon for the year 1915 shall be and hereby is amended to read as follows:

SEC. 53. No person shall within this State manufacture for sale, have in his possession with the intent to sell, offer or expose for sale, or sell any condensed or evaporated

milk hereafter manufactured unless it shall conform to the following standards and conditions:

1. It shall be prepared by evaporating the fresh, pure, whole milk of healthy cows, obtained by complete milking and excluding all milkings within 15 days before calving and 7 days after calving: *Provided*, At the end of this seven-day period the animals are in perfectly normal condition.

2. It shall contain total solids of 25.5 per cent and the percentage of milk fat shall be not less than 7.8 per cent.

3. It shall contain no added butter or butter oil incorporated either with whole milk or skimmed milk or with the evaporated milk at any stage of the manufacture.

Bottles and Containers Used for Milk and Milk Products—Marking—Cleanliness.
(Ch. 246, Act Feb. 19, 1917.)

SECTION 1. It shall be the duty of the owner of any can, bottle, or other container used in gathering up, bottling, storing, transporting, shipping, delivering, or vending any milk, cream, ice cream, or other product of milk or cream, to brand, stamp, impress or mark upon each of said cans, bottles or other containers the name of the owner thereof in a clear, distinct, legible and permanent manner, so as not to be easily removed or erased therefrom, and to keep such name at all times branded, stamped, impressed or marked thereon in a clear, distinct and legible manner: *Provided*, That nothing in this section shall prevent the use of a distinctive mark, in addition to name of owner, upon such cans, bottles or containers, by the owner thereof, but in no case shall such distinctive mark be the name of a person other than the owner: *And provided further*, That in case of emergency, the dairy and food commissioner may, at his discretion, issue a permit for the use, temporarily, of unmarked bottles or containers to be used in delivery of milk, cream or other product of milk to the consumer.

SEC. 2. It shall be unlawful for any person other than the owner thereof to detain, destroy, cast away, conceal, loan, borrow, use, have the custody of, or appropriate any such can, bottle or other container, or to in any manner mutilate or erase the name of the owner, marked, stamped, branded or impressed thereon. And further, it shall be unlawful for the owner of any can, bottle or other container used or to be used as a container of any milk, cream, ice cream, butter, cheese or other product of milk or cream to loan, hire, sell or permit the use of such container or receptacle by anyone else for any purpose whatever: *Provided, however*, It shall be lawful for any manufacturer, wholesaler, retailer or consumer of milk, cream, ice cream, butter, cheese or other product of milk to purchase with the same the container thereof or to receive the temporary use or loan of such container while using, selling or consuming the contents thereof; when so loaned, such can, bottle or other container shall be washed as soon as emptied, and returned in a clean, sterilized, wholesome and sanitary condition to the owner thereof within a reasonable period thereafter or on demand therefor: *And provided further*, That nothing in this act shall prevent the sale of cans, bottles or other containers, marked as provided herein, to be used as containers or conveyors of buttermilk or whey but not for milk or cream.

SEC. 3. It shall be the duty of the owner of any can, bottle, or other container used, or to be used or kept as a container or receptacle for any milk, cream, ice cream, or other product of milk or cream, at all times to keep such container or receptacle in a clean, sterilized, wholesome and sanitary condition.

SEC. 4. In all prosecutions under the provisions of this act the person whose name appears marked, stamped, branded or impressed on any can, bottle or container of milk, cream, ice cream or any other product of milk or cream, shall be deemed conclusively the owner thereof; except (1) that it may be shown that the same was stolen from the possession of the owner thereof and that it was, at the time of being stolen, in a clean, wholesome, sterilized and sanitary condition; (2) that such can, bottle or

container was filled with milk, cream, ice cream or some product of milk or cream and that the contents thereof were sold to a consumer to be consumed in that form only, and that such can, bottle or container was given to such consumer to have the temporary use thereof while the contents thereof were being consumed, or it was sold to such consumer, and that at the time of such sale or loaning of such can, bottle or container it was in a clean, sterilized, wholesome and sanitary condition; (3) that such can, bottle or container was withdrawn from use as a container or conveyor of milk, cream or other milk product except buttermilk or whey, prior to the time that the same became unclean, unsterilized, unwholesome and insanitary.

SEC. 5. Any person who shall violate any provision of this act, upon conviction thereof shall be fined not less than \$5 nor more than \$200 for each violation thereof.

Any company, corporation or association violating any of the provisions of this act shall be liable to a penalty of not less than \$50 nor more than \$500 for each violation.

SEC. 6. The term "person" as used in this act, when not otherwise stated, includes corporations, firms, partnerships and associations, as well as natural persons.

SEC. 7. Justice courts, district courts and municipal courts sitting as justice courts, shall have concurrent jurisdiction with the circuit courts of all prosecutions arising under this act. The district or county attorney is authorized to institute prosecutions for violation of this act by information, or the same may be instituted by indictment or by complaint verified before any magistrate.

SEC. 8. It shall be the duty of the dairy and food commissioner to enforce all the provisions of this act, and to make such rules and regulations as may be necessary to carry into effect all of the provisions of this act; and further; it shall be unlawful for any person to violate any such rule or regulation.

Births and Deaths—Registration—Local Registrars—Deaths Occurring Without Medical Attendance—Contents of Birth Certificates. (Ch. 384, Act Feb. 21, 1917.)

SECTION 1. That section 3 of chapter 268¹ of the general laws of the State of Oregon for the year 1915, passed at the 28th regular session of the legislative assembly, be and the same is hereby amended so as to read as follows:

SEC. 3. The health officers of each city and incorporated town of 2,000 population and over shall be the local registrar in and for such primary registration district and shall perform all the duties of local registrar as hereinafter provided: *Provided, however, He shall receive no additional compensation therefor.*

SEC. 2. That section 7 of chapter 268 of the general laws of the State of Oregon for the year 1915, passed at the 28th regular session of the legislative assembly, be and the same is hereby amended so as to read as follows:

SEC. 7. That in case of any death occurring without medical attendance and under circumstances not requiring an investigation by the coroner, it shall be the duty of the undertaker, or any person acting as such, to notify the local registrar of the registration district where such death occurs, of such death, and the local registrar shall at once investigate the circumstances of the case and make a certificate and return of death, noting upon the certificate the fact that such death occurred without medical attendance: *Provided, If the local registrar is not a qualified physician and the cause of death is obscure or uncertain, the local registrar shall refer the case to the health officer having jurisdiction over the locality where the death occurred, for certification: And provided further, That if the circumstances of the case render it probable that the death was caused by unlawful means, the local registrar shall refer the case to the coroner.*

¹ Pub Health Repts. Reprint 338, p. 428

Sec. 3. That section 13 of chapter 268 of the general laws of Oregon for the year 1915, passed at the 28th regular session of the legislative assembly, be and the same is hereby amended so as to read as follows:

Sec. 13. That the certificate of birth shall contain the following items:

- (1) Place and date of birth, including State, county, township or town, village or city. If in a city, the ward, street and house number; if in a hospital or other institution, the name of the same to be given, instead of the street and house number.
- (2) Full name of the child. If the child dies without a name before the certificate is filed enter the words "died unnamed." If the living child has not been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.
- (3) Sex of child.
- (4) Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural birth, giving the number of child in order of birth.
- (5) Whether legitimate or illegitimate.
- (6) Residence of father.
- (7) Color or race of father.
- (8) Birthplace of father.
- (9) Age of father at last birthday, in years.
- (10) Occupation of father.
- (11) Maiden name of mother, in full.
- (12) Residence of mother.
- (13) Color or race of mother.
- (14) Birthplace of mother.
- (15) Age of mother at last birthday, in years.
- (16) Occupation of mother.
- (17) Number of child of this mother, and number of children of this mother now living.
- (18) Whether precautions were taken against ophthalmia neonatorum.
- (19) Whether alive or stillborn.
- (20) Signature and address of physician or person reporting.
- (21) Name of registrar.
- (22) Date of filing.

Dead Bodies—Transportation. (Reg. Bd. of H., Sept. 22, 1917.)

RULE 1. A copy of the original death certificate on the standard certificate of death form, as signed by attending physician, permit of local registrar, and a transit label signed by a licensed embalmer, and initial baggage agent, shall be required for the transportation by common carriers of bodies of persons dying in this State. The death certificate shall contain such information as is required in the standard form of death certificate. The registrar's permit shall authorize the transportation of the body of the person described in the physician's certificate. The licensed embalmer shall state on the shipping label how the body is prepared, and the local baggage agent shall state thereon the route, name and address of escort.

The registrar's permit shall be given the escort, to be delivered with the body at destination. The shipping label shall be securely attached to the outside case. If the body is sent by express, the physician's certificate and the permit shall be attached to the express waybill and delivered with the body at the destination, and the shipping label shall be attached to the outside case.

RULE 2. The transportation of bodies dead of smallpox, plague, Asiatic cholera, typhus fever, diphtheria (membranous croup, diphtheretic sore throat), scarlet fever (scarlet rash, scarlatina), shall be permitted only under the following conditions:

The body shall be thoroughly embalmed with an approved disinfectant fluid; all orifices shall be closed with absorbent cotton; the body shall be washed with the disinfectant fluid, enveloped in a sheet saturated with the same and placed at once

in the coffin or casket, which shall be immediately closed, and the coffin or casket or the outside case containing the same shall be metal, or metal lined, and hermetically and permanently sealed.

RULE 3. The transportation of bodies dead of any disease other than those mentioned in rule 2 shall be permitted under the following conditions:

(a) When the destination can be reached within 24 hours after death, the coffin or casket shall be encased in a strong outer box made of good sound lumber not less than seven-eighths of an inch thick, all joints must be tongued and grooved, top put on with cleats and crosspieces all put securely together, and be tightly closed with white lead, asphalt varnish or paraffin paint, and a rubber gasket placed on the upper edge between the lid and box.

(b) When the body can not reach its destination within 24 hours after death, the body shall be thoroughly embalmed and the coffin or casket placed in an outside case constructed as provided in paragraph (a).

RULE 4. No disinterred body dead of any disease or cause shall be transported by common carrier except by permit of the State board of health, and transit permit and transit label shall be required as provided in rule 1.

The disinterment of bodies dead of any disease or cause shall not be allowed except by permission of the State board of health.

All disinterred remains shall be enclosed in metal or metal-lined boxes and hermetically sealed: *Provided*, That bodies in a receiving vault, when properly embalmed by a licensed embalmer shall not be regarded as disinterred bodies until after the expiration of 30 days.

RULE 5. The outside case may be omitted in all instances where the casket or coffin is transported in hearse or undertaker's wagon.

RULE 6. Every outside case shall bear at least four handles and when over 5 feet 6 inches in length, shall bear six handles.

RULE 7. The term "approved disinfectant fluid," as used in these rules, means an embalming fluid that has been submitted to a bacteriological test and approved by the Oregon State Board of Health, or a fluid that contains not less than 5 per cent of formaldehyde gas; the term "embalming," as employed in these rules, shall require the injection by licensed embalmers of not less than 10 per cent of the body weight, injected arterially in addition to cavity injection, and 12 hours shall elapse between the time of embalming and the shipment of the body. A 5 per cent solution of carbolic acid, a 1-500 solution of corrosive sublimate, or 14 per cent of a 40 per cent solution of formaldehyde are approved as disinfectants for external washing of bodies when required by these rules. Other prepared disinfectants of equal germicidal action may also be used.

RULE 8. Any corpse shipped originally from any registration district within the State of Oregon, accompanied by a properly executed transit permit, to any other primary registration district within the State, may be trans-shipped by surrendering the original transit permit to the local registrar and receiving in exchange a new transit permit, unless said body has been held over 30 days or has been interred, in which case proceed under rule 4.

If corpse is routed to point of final destination on original transit permit and is accompanied by ticket which allows stopover privileges, corpse may be held for funeral or for any other purpose temporarily at a stopover point without additional transit permit being required.

RULE 9. Transportation of any body by common carrier in the State of Oregon is prohibited unless the body has been prepared for transportation by a licensed embalmer holding a license as such, issued by the Oregon State Board of Health.

Hotels—Cleanliness—Drinking Water—Common Towels and Common Drinking Cups Prohibited—Bedding—Protection of Foodstuffs—Screening—Garbage Disposal—Toilets—Employees. Restaurants—Protection of Foodstuffs—Garbage Disposal. (Reg. Bd. of H., Sept. 22, 1917.)

1. It shall be the duty of every person keeping, managing, or operating a hotel to see that every room and bed which has been occupied by any person known to such keeper, proprietor, or operator to have any infectious, contagious, or communicable disease at the time of such occupancy to see that such room and bed are thoroughly disinfected in the method prescribed by the State board of health before permitting such room or bed to be occupied by any other person.

2. The proprietor or every hotel or restaurant shall keep the same clean and in a sanitary condition.

3. Every hotel or restaurant must be provided with pure and unpolluted water. The use of the common drinking cup is prohibited.

4. The proprietor or keeper of every hotel or restaurant must screen the doors, windows, and all openings of the kitchen and dining room with wire cloth or wire gauze with 18 mesh to the square inch. Every hotel must have all bedroom windows screened for protection against flies, mosquitoes, and other insects.

5. All hotels shall hereafter provide each bed, bunk, cot, or other sleeping place for the use of guests with pillow slips, under and top sheets. All such pillow slips and sheets after being used by one guest must be washed and ironed before being used by another guest, a clean set being furnished each succeeding guest.

6. All hotels shall furnish each guest with a clean towel, and the use of the roller towel is prohibited.

7. The refrigerator, ice boxes, and cold-storage rooms of all hotels or restaurants must be free from foul and unpleasant odors, mold and slime. The kitchen must be well lighted and ventilated, the floor clean, and the side walls and ceiling free from cobwebs and accumulated dirt.

8. All dishes, tableware, and kitchen utensils must be thoroughly washed and rinsed in clean water after using; food served to customers and then returned to the kitchen or serving room must not again be served.

9. All garbage must be kept covered in barrels or galvanized-iron cans and removed daily.

10. Spittoons must not be used in the dining room or other places where food is served.

11. Toilets for employees or public use shall not be located in rooms used for preparing or storing food.

12. Toilets with cesspools, on grounds adjoining hotels or summer resorts must at all times be kept in a sanitary condition and disinfected and moved at least once a year.

13. No person suffering from tuberculosis, ophthalmia, or any infectious or contagious disease, externally visible or not, or any skin disease, shall be employed in or about any part of a restaurant or its kitchen, or handle any foodstuffs or products used therein.

14. All restaurants shall provide, in places where foodstuffs are kept, prepared, cooked, or served to customers, full protection from dust, dirt, flies, and vermin, by glass cases, wire screens, and other modern methods, and shall cause the abatement and destruction of vermin and flies wherever found.

15. All restaurants shall be equipped with covered metallic cans for retaining and keeping their garbage and waste in a sanitary manner, which shall be kept in such place and manner as will preclude nuisance and contamination of the kitchen and such rooms from odors and from all possibilities therefrom, and when necessary shall use disinfectants.

16. No hotel shall keep a hogpen or stable nearer than 200 feet therefrom.

Mental Defectives—Sterilization. (Ch. 279, Act Feb. 19, 1917.)

SECTION 1. There is hereby established and constituted for the State of Oregon a State board of eugenics which shall be composed of the State board of health, the superintendent of the Oregon State Hospital, the superintendent of the Eastern Oregon State Hospital, the superintendent of the State institution for feeble-minded, and the superintendent of the Oregon State Penitentiary, whose duties shall be as hereinafter defined. The secretary of the State board of health shall serve as the secretary of said board, and the members of said board shall serve without compensation.

SEC. 2. It shall be, and it is hereby declared, the duty of the superintendent of the Oregon State Hospital, the superintendent of the Eastern Oregon State Hospital, the superintendent of the State institution for feeble-minded, and the superintendent of the Oregon State Penitentiary to report quarterly, to the State board of eugenics, all feeble minded, insane, epileptic, habitual criminals, moral degenerates and sexual perverts, who are persons potential to producing offspring who, because of inheritance of inferior or antisocial traits, would probably become a social menace, or a ward of the State.

SEC. 3. It shall be the duty of the State board of eugenics to examine into the innate traits, the mental and physical conditions, the personal records, and the family traits and histories of all persons so reported so far as the same can be ascertained, and for this purpose said board shall have the power to summon witnesses, and any member of said board may administer an oath to any witness whom it is desired to examine; and if in the judgment of a majority of the said board procreation by any such person would produce children with an inherited tendency to feeble mindedness, insanity, epilepsy, criminality or degeneracy, and there is no probability that the condition of such person so examined will improve to such an extent as to render procreation by any such person advisable, or if the physical or mental condition of any such person will be substantially improved thereby, then it shall be the duty of said board to make an order directing the superintendent of the institution in which the inmate is confined to perform or cause to be performed upon such inmate such a type of sterilization as may be deemed best by said board.

SEC. 4. The purpose of said investigation, findings and orders of said board shall be for the betterment of the physical, mental, neural, or psychic condition of the inmate, or to protect society from the menace of procreation by said inmate, and not in any manner as a punitive measure; and no person shall be emasculated under the authority of this act except that such operation shall be found to be necessary to improve the physical, mental, neural or psychic condition of the inmate.

SEC. 5. After fully inquiring into the condition of each of such inmates said board shall make separate written findings for each of the inmates whose condition has been examined into, and the same shall be preserved in the records of the said board, and a copy thereof shall be furnished to the superintendent of the institution in which the inmate is confined, and if an operation is deemed necessary by said board, then a copy of the order of said board shall forthwith be served on said inmate, or in case of an insane person upon his legal guardian, and if such insane person have no legal guardian then upon his nearest known kin within the State of Oregon, and if such insane person have no known kin within the State of Oregon, then upon the custodian guardian of such insane person.

SEC. 6. Any such inmate desiring to appeal from the decision of the said board, or in case the person is under guardianship or disability, then the guardian of said inmate may take an appeal to the circuit court of the county in which the institution, in which the inmate is confined, is located.

An informal notice of appeal filed with the secretary of said board, either by the inmate or someone in his behalf, shall be all that is necessary to make the appeal: *Provided*, Said notice shall be filed within 15 days of the date when notice of the

board's decision is served on the inmate or his guardian, and said notice of appeal shall stay all proceedings of said board in said matter until the same is heard and determined on said appeal: *Provided further*, That no operation shall be performed, upon any inmate, until the time for appeal from the decision of the board has expired.

SEC. 7. Upon an appeal being taken, the secretary of the said board where the notice of appeal is filed, must within 15 days thereafter, or such further time as the court or the judge thereof may allow, transmit a certified copy of the notice of appeal and transcript of the proceedings, findings and order of the board, to the clerk of the court appealed to.

The trial shall be a trial *de novo* at law as provided by the statutes of the State, for the trial of actions at law. Upon such appeal, if the inmate be without sufficient financial means to employ an attorney, then the court shall appoint an attorney to represent the said inmate, and such attorney shall be compensated by the State upon order of the court; and it shall be the duty of the district attorney of the county wherein such trial is had to represent the said board.

SEC. 8. If the court or jury shall affirm the findings of said board, said court shall enter a judgment, adjudging that the order of the said board shall be carried out as herein provided; if the court fail to affirm the decision of said board appealed from, then said order shall be null and void and of no further effect.

SEC. 9. Upon the receipt of the order from the State board of eugenics provided for in section 3, the superintendent of the institution to which it is directed shall, after the time for appeal has expired, or in case of appeal upon the entering of a judgment affirming the order of the board, and it is hereby made his lawful duty, to perform, or cause to be performed, such surgical operation as may be specified in the order of the State board of eugenics. All such operations shall be performed with a due regard for the physical condition of the inmate and in a safe and humane manner.

SEC. 10. The criminals who shall come within the operation of this law shall be those who have been convicted three or more times of a felony in the courts of any State and sentenced to serve in the penitentiary therefor.

Moral degenerates and sexual perverts are those who are addicted to the practice of sodomy or the crime against nature, or to other gross, bestial and perverted sexual habits and practices prohibited by statute.

SEC. 11. The provisions of this act shall apply to both male and female inmates of any of the institutions designated herein.

SEC. 12. The State shall be liable, under this act, only for the actual traveling expenses of the members of the board incurred in the performance of their duties, and the actual and necessary expense incident to the investigations of said board and an appeal therefrom.

Noxious Weeds—Extermination. (Ch. 290, Act Feb. 20, 1917.)

SECTION 1. That section 6458 of Lord's Oregon Laws be and the same is hereby amended so as to read as follows:

SEC. 6458. It shall be the duty of each road supervisor in each road district in this State, in addition to the duties heretofore prescribed by law, to ascertain from time to time and know whether or not there is in his district any weed known as the quack grass (*Agropyron repens*), penny cress, French weed, fan weed, or scale weed (*Thlaspi arvense*), goat weed, Tipton weed or Eola weed or St. John's wort (*Hypericum perforatum*), death weed, poverty weed, or marsh elder (*Iva axillaris*), Russian thistle (*Salsola kali tragus*), Canada thistle (*Carduus arvense*), Chinese thistle, China lettuce or prickly lettuce (*Lactuca scariola*), tumbling or Jim Hill mustard (*Sysimbrium altissimum*), cocklebur (*Xanthium spinosum*), silver salt bush (*Atriplex canescens*), and he shall, as he ascertains that there is any of such weed, and before any thereof has shed its bloom or commenced to form the seed, serve or cause to be served upon

the owner of the land or the land adjoining a road or highway to the center thereof, if he be known and residing within the county, and if not, upon the occupant of the premises or to the center of the road or highway adjoining said premises upon which said weeds or thistles may be, a notice in writing notifying said owner or occupant of the existence of said thistle, weed or weeds, and in such notice shall give the name of such weed and the description of the land upon which same is growing, or in case said weeds or thistles are growing upon a road or highway, a description of the land adjoining said road or highway. Said notice shall be served by delivering to the occupant or person in charge of said premises, or land adjoining said road or highway, a copy thereof duly certified to be such by the person serving same, and if there be no occupant of such land upon which such weed may be growing, then such notice shall be served by posting in three conspicuous places upon said premises a copy of such notice duly certified to be such by said road supervisor.

SEC. 2. That section 6464 of Lord's Oregon Laws be and the same is hereby amended so as to read as follows:

SEC. 6464. If any person, persons or corporation owning, possessing or having care or charge of any land or lands, improved or unimproved, inclosed or uninclosed, in this State, shall knowingly permit or suffer any quack grass (*Agropyron repens*), penny cress, French weed, fan weed, or scale weed (*Thlaspi arvense*), goat weed, Tipton weed or Eola weed or St. John's wort (*Hypericum perforatum*), death weed, poverty weed, or marsh elder (*Iva axillaris*), Russian thistle (*Salsola kali tragus*), Canada thistle (*Carduus arvense*), Chinese thistle, China lettuce or prickly lettuce (*Lactuca scariola*), tumbling or Jim Hill mustard (*Sysimbrium altissimum*), cocklebur (*Xanthium spinosum*), silver salt bush (*Atriplex canescens*), to grow up thereon, or upon a road or highway adjoining said lands, and suffer the same to stand until its bloom falls or its seeds begin to form, such person, persons or corporation shall be guilty of a misdemeanor, and upon conviction thereof shall, for the first offense, be fined not less than \$10 nor more than \$50, and for the second and each subsequent offense not less than \$25 nor more than \$100, said fines to be recovered with costs, in an action to be brought in the name of the State of Oregon, for the use and benefit of the general fund of the county where the offense is committed, and such person, persons, or corporation shall also be liable for all damages sustained by the neighboring landowners resulting from such neglect on the part of such person, persons or corporation to extirpate and destroy such noxious weeds before the same shall mature, to be recovered in an action at law in the circuit court of the county where such lands are located.

SEC. 3. That section 6465 of Lord's Oregon Laws be and the same is hereby amended so as to read as follows:

SEC. 6465. It shall be the duty of each road supervisor in each road district in the State to call a sufficient number of laborers to cut down and destroy, before the same has dropped its bloom or commenced to form its seed, any quack grass (*Agropyron repens*), penny cress, French weed, fan weed or scale weed (*Thlaspi arvense*), goat, Tipton, or Eola weed or St. John's wort (*Hypericum perforatum*), death weed, poverty weed or marsh elder (*Iva axillaris*), Russian thistle (*Salsola kali tragus*), Canada thistle (*Carduus arvense*), Chinese thistle, China lettuce or prickly lettuce (*Lactuca scariola*), tumbling or Jim Hill mustard (*Sysimbrium altissimum*), cocklebur (*Xanthium spinosum*), silver salt bush (*Atriplex canescens*), found growing at any time hereafter upon any public lands in his road district, and the county court shall audit and allow the amount of expenses and just and reasonable charges of such work as other claims or bills filed by the road supervisors.

SEC. 4. That section 6467 of Lord's Oregon Laws be and the same is hereby amended so as to read as follows:

SEC. 6467. It shall be the duty of all municipal corporations in this State to provide for the extermination of said quack grass (*Agropyron repens*), penny cress, French

weed, fan weed or scale weed (*Thlaspi arvense*), goat, Tipton, or Eola weed or St. John's wort (*Hypericum perforatum*), death weed, poverty weed, or marsh elder (*Iva axillaris*), Russian thistle (*Salsola kali tragus*), Canada thistle (*Carduus arvense*), Chinese thistle, China lettuce, or prickly lettuce (*Lactuca scariola*), tumbling or Jim Hill mustard (*Sisymbrium altissimum*), cocklebur (*Xanthium spinosum*), silver salt bush (*Atriplex canescens*), within the limits of such corporation, or upon the vacant lands within said corporation; and any city or town incorporated within this State neglecting or refusing to comply with the provisions of this act shall be liable to a forfeiture to the county in which said municipal corporation is situate of a sum not less than \$50 nor more than \$500, to be recovered against such municipal corporation in a suit maintained by the county in which said municipal corporation is situated.

SEC. 5. That section 6468 of Lord's Oregon Laws be and the same is hereby amended so as to read as follows:

SEC. 6468. It shall be the duty of all municipal corporations and county authorities in this State to provide for the extermination of the said quack grass (*Agropyron repens*), penny cress, French weed, fan weed or scale weed (*Thlaspi arvense*), goat, Tipton or Eola weed or St. John's wort (*Hypericum perforatum*), death weed, poverty weed or marsh elder (*Iva axillaris*), Russian thistle (*Salsola kali tragus*), Canada thistle (*Carduus arvense*), Chinese thistle, China lettuce, or prickly lettuce (*Lactuca scariola*), tumbling or Jim Hill mustard (*Sisymbrium altissimum*), cocklebur (*Xanthium spinosum*), silver salt bush (*Atriplex canescens*), within the limits of such corporation or on the vacant lands within such county, and any city or town incorporated within this State neglecting or refusing to comply with the provisions of this section shall be liable to a forfeiture to the State of a sum not less than \$50 nor more than \$500, to be recovered by suit in the name of the State in any court of competent jurisdiction.

Hop, Prune, and Berry Yards—Sanitary Regulation. (Reg. Bd. of H., Sept. 22, 1917.)

1. Every camping ground must be supplied with pure and unpolluted water. The use of individual drinking cups is recommended.

2. All garbage must be kept covered in barrels or galvanized-iron cans and removed daily.

3. All foodstuffs, refuse, or anything in or adjacent to camp house or tent that would serve as a breeding place for flies must be effectively covered or screened in such a manner as to exclude flies.

4. Adequate number of toilets must be provided and they must at all times be kept in a sanitary condition. Portable toilets with galvanized-iron receptacles are recommended, and in these receptacles disinfectants must be used daily, but if a pit is used, the building must be moved at least once each year and during the picking season disinfectants acceptable to the State board of health must be used at least twice each week.

5. Tents or camp houses must not be located nearer than 200 feet from any barn, hogpen or other place where manure accumulates.

6. No horse shall be tied, stabled, or penned nearer than 200 feet from any camp house or camp tent.

7. Roofs of buildings used for living or sleeping quarters must be water-tight.

8. Pools or ponds of stagnant water must be thoroughly drained or covered with oil.

Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Ch. 91, Act Feb. 13, 1917.)

SECTION 1. It shall be unlawful for any person, firm, corporation, or association, with intent to sell or dispose of any real estate, merchandise, foods, drugs, medicinal preparations, or other patent nostrums, securities, service, or anything offered by such

person, firm, corporation, or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, to make, publish, disseminate, circulate, or place before the public, or cause, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public within the State of Oregon, in a newspaper or other publication, or in the form of a book, notice, hand bill, sign, poster, bill, circular, pamphlet, tag, label, letter, or contrivance, or in any other way or manner whatsoever an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive, or misleading.

SEC. 2. Any person, firm, corporation, or association violating any of the provisions hereof shall upon conviction thereof be punished by a fine of not more than \$100, or by imprisonment in the county jail not exceeding 30 days.

SEC. 3. That section 2230 of Lord's Oregon Laws and all acts and parts of acts in conflict with any of the provisions hereof be, and the same are, hereby repealed.

This act shall not apply to publishers of newspapers, magazines or other publications who publish any such advertisement in good faith without knowledge of its false, deceptive, or misleading character.

PENNSYLVANIA.

Communicable Disease Hospitals in Counties—Establishment and Maintenance— Removal of Cases to. (No. 160, Act May 24, 1917.)

SECTION 1. That, from and after the passage of this act, hospitals for the care and treatment of persons suffering from contagious diseases may be constructed and maintained by counties in this Commonwealth.

SEC. 2. Whenever, in the opinion of the county commissioners of any county, a hospital for the care of contagious diseases appears to be necessary or advisable, the said county commissioners may either locate such a hospital on the grounds of the county poor-farm or may purchase a suitable location in some other locality: *Provided*, Such locality is not within, or close to, the built-up portion of any city, borough, or village, and not within 100 feet of any public highway.

SEC. 3. Plans and specifications may be prepared for such hospital by the county commissioners, or at their instance, which plans and specifications must be submitted to the commissioner of health of the Commonwealth of Pennsylvania for his approval, and must be so approved before the construction of any building is commenced.

SEC. 4. Upon the plans and specifications being approved by the commissioner of health, the said hospital may be constructed and equipped in the same manner that other county buildings are constructed and equipped, and the expense and cost of such construction and equipment paid by the county commissioners out of county funds.

SEC. 5. After such hospital is erected and equipped and ready for occupancy, it shall be conducted and maintained, by and under the authority of the directors of the poor, in the same manner that the county-home and other county poor-buildings are conducted and maintained.

SEC. 6. All expense incident to the construction and maintenance of contagious disease hospitals, established in accordance with the provisions of this act, shall be paid out of county funds, and no appropriations shall be made to such hospitals by the State.

SEC. 7. In any county in which a hospital for the care and treatment of contagious diseases has been constructed and is being maintained, whenever, in the opinion of the health authorities,—either the local board or department of health of any city or borough in such county, or the State department of health,—proper quarantine measures cannot be otherwise enforced, the said health authorities may, for the protection of public health and the prevention of epidemics of disease, have authority to remove cases of contagious disease from private residences and other places to such hospital, for treatment and isolation during the continuance of such disease.

Pupils—Care and Treatment of Defective Eyes and Teeth. (No. 335, Act July 17, 1917.)

SECTION 1. That the act approved the eighteenth day of May, 1911, entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local or any parts thereof, that are or may be inconsistent therewith," be supplemented by adding thereto the following:

SEC. 1511. Any school district may provide for the care and treatment of defective eyes and teeth of all pupils of its public schools.

Compressed Air—Regulation of Employment in. (No. 364, Act July 19, 1917.)

* * * * *

SEC. 3. Every employer carrying on any work in the prosecution of which persons are employed in compressed air shall:

* * * * *

(8) Provide, for the use of all persons so employed, dressing rooms, which shall be kept open and accessible during working hours and during the intervals between working periods, and also a separate room for drying clothes. The dressing rooms shall contain benches and individual lockers, shower baths, with hot and cold water, and sanitary water-closets, and shall be kept properly heated, lighted, and ventilated.

* * * * *

SEC. 6. Every employer carrying on any work in the prosecution of which persons are employed in compressed air shall:

(1) Employ one or more licensed physicians as medical officers, who shall be present to render medical assistance at all necessary times at the place where such work is in progress, and who shall perform such other duties as are imposed on them by this act.

(2) If the maximum air pressure in such work exceeds 17 pounds, employ one or more registered nurses, or one or more competent persons, which persons shall be selected by the medical officer and be certified by him to be competent by actual experience to handle cases of compressed-air illness. The nurses or persons so employed shall have charge of the hospital lock provided for in this act, and may also have other duties of a clerical nature, exclusive of timekeeping, such as will not require their presence elsewhere than at the hospital lock and such as they may leave at any time their service at the lock is necessary.

* * * * *

SEC. 8. (1) No person shall be employed or permitted to work in compressed air until he has been examined by the medical officer and found to be physically qualified therefor.

(2) No person who has not previously worked in compressed air shall, during the first 24 hours of his employment, be permitted to work therein longer than one working period, as provided in section 10, and he shall not be permitted to resume such work, if the air pressure exceeds 15 pounds, until he has been reexamined by the medical officer and found to be physically qualified therefor.

(3) No person who is employed in compressed air, but who has been absent therefrom for 10 or more consecutive days for any cause, shall be permitted to resume such work until he has been reexamined by the medical officer and found to be physically qualified therefor.

(4) No person who has been employed regularly in compressed air for three months shall be permitted to continue such work until he has been reexamined by the medical officer and found to be physically qualified therefor.

SEC. 9. The medical officer shall keep a record of all physical examinations made in accord with section 8, which record shall be kept at the place where the work is in progress, and shall contain the name, age, address, and full description of each person examined, the date on which each examination was made and the physical condition on that date of the person examined, and the total time such person has worked in compressed air, including time in previous employments. The employer shall also be responsible for the observance of this section.

* * * * *

Lead Work—Regulation of. (No. 22, Reg. Dept. of Labor and Industry.)

[The following summary is taken from Bulletin No. 244 of the United States Bureau of Labor Statistics, pages 298 and 299:

The rules embodied in this number relate to any and all processes of the corrosion of metallic lead into carbonate of lead, and also the manufacture of red lead, litharge, basic lead sulphate, nitrate of lead, and nitrate of soda. Workrooms must be thoroughly ventilated, and walls and doors of fire-resisting material must separate the rooms in which dust is produced from all departments in which the work or process is of a nondusty character. Dry sweeping is forbidden, and vacuum cleaning or flushing with water is recommended. No female may handle any dry substance or dry compound containing lead in any form in excess of 2 per cent; nor may any male under 21 years of age strip stacks, repair ventilating systems, or work at dry packing of carbonate of lead, litharge, red lead, basic sulphate of lead, or sublimated white lead. The employment of persons who chew tobacco or habitually use intoxicating beverages is to be discouraged. Respirators must be furnished by the employer without cost for use in those operations in which use is required by these rules. The employer must also furnish outer clothing, and keep it clean and in repair.

Washrooms supplied with hot and cold water, nail brushes, soap, and towels must be furnished, and 10 minutes allowed at the employer's expense for the use of the washroom at lunch hour and at the close of the day's work. A shower bath for each 10 employees must be provided, and 10 minutes allowed at the close of the day's work at least twice a week for its use. Dressing rooms and eating rooms must be furnished and suitably equipped, and no person may take any food or drink into any workroom or remain in any workroom during the time allowed for meals. Sanitary drinking fountains or individual cups must be supplied.

A physical examination must be made monthly of all employees exposed to lead dust, lead fumes, or lead solutions. This examination must be made by a licensed physician, and any case of lead poisoning found must be reported to the department on a prescribed blank; a duplicate must be sent to the State department of health. A notice, containing 12 items, on how to prevent sickness must be posted in workrooms, wash rooms, dressing rooms, and eating rooms.

Details of provisions are prescribed for the Old Dutch process of making white lead, for the Carter process, for the making of sublimed white lead, for the manufacture of litharge, etc., and for nitrate of lead and nitrate of soda. All crushing mills, grinding mills, and sieving machines operating on material in a dry state which contains lead in any form must be fitted with an efficient air exhaust.]

Milk Dealers in Cities of the First Class—License. (No. 63, Act Apr. 26, 1917.)

SECTION 1. That section 1 of the act, approved the 27th day of April, 1909 (pamphlet laws, 237), entitled "An act regulating the sale of milk and its fluid derivatives, in cities of the first class; providing for the licensing of those engaged in that business; and providing penalties for the violation thereof," which reads as follows:

"SECTION 1. That all persons or corporations dealing in milk or any of its fluid derivatives, in any city of the first class, shall hereafter pay into the bureau of health the sum of \$5, which shall thereupon entitle the said dealer to a license authorizing him to deal in milk and its fluid derivatives, in said city of the first class; said license to be issued by the bureau of health of said city, upon the payment of the aforesaid sum. Each dealer so licensed shall be given a number, a record of which shall be kept in the bureau of health, and the said license shall be conspicuously displayed in the dealer's chief place of business: *Provided, however,* That all persons or corporations who sell milk and its fluid derivatives in any city of the first class, but whose chief place of business shall be outside of such city, shall place the number of said license in

a conspicuous place on all vehicles used by them for the sale of milk," is hereby amended to read as follows:

SECTION 1. That all persons or corporations dealing in milk, or any of its fluid derivatives, in any city of the first class, shall hereafter pay annually into the bureau of health the sum of \$2, which shall thereupon entitle said dealer to a license authorizing him to deal in milk and its fluid derivatives, in said city of the first class, during the then current year; said license to be issued by the bureau of health of said city, upon the payment of the aforesaid sum. Each dealer so licensed shall be given a number, a record of which shall be kept in the bureau of health, and said license shall be conspicuously displayed in the dealer's chief place of business: *Provided, however,* That all persons or corporations who sell milk and its fluid derivatives in any city of the first class, but whose chief place of business shall be outside of such city, shall place the number of said license in a conspicuous place on all vehicles used by them for the sale of milk.

Meat and Meat-Food Products—Definition—When Deemed Unwholesome—Exposure. (No. 251, Act July 5, 1917.)

SECTION 1. That section 1 of an act,¹ approved the 28th day of May, 1915, entitled "An act to protect the public health by regulating the manufacture, preparation, handling, storage, sale, transportation, and possession of meat and meat-food products; prescribing the powers and duties of the State livestock sanitary board incidental thereto," which reads as follows:

"SECTION 1. That the terms 'meat' and 'meat-food products,' wherever used in this act, shall include the carcasses or parts of carcasses of cattle, sheep, other ruminants, and swine, and the meat of such animals and the meat-food products of such animals," is hereby amended to read as follows:

SECTION 1. That the terms "meat" and "meat-food products" wherever used in this act, shall include the carcasses or parts of carcasses of cattle, sheep, goats, other ruminants, swine, horses, mules, and the meat of such animals, and the meat-food products of such animals.

SEC. 2. That section 2 of said act, which reads as follows:

"SEC. 2. The term 'unwholesome,' as used in this act, shall be understood to include all meats or meat-food products which are diseased, contaminated, putrid, unsound, unhealthful, or unfit for food," is hereby amended to read as follows:

SEC. 2. The term "unwholesome," as used in this act, shall be understood to include all meats or meat-food products which are so affected with disease that it would be dangerous to use the meat or other parts for human food; also all meats or meat-food products which are contaminated, putrid, unsound, unhealthful, or otherwise unfit for food, or which have been derived from any animal which has died as a result of disease or accident, or which was in a dying condition at the time of slaughter.

SEC. 3. That section 9 of said act, which reads as follows:

"Section 9. It is unlawful in an establishment to permit any meat or meat-food product to be touched or handled by any person other than the owner, lessee, or manager of an establishment, or other than the agent or employe of such owner, lessee, or manager, or to permit any meat or meat-food product to be exposed to insects, animals or fowls," is hereby amended to read as follows:

SEC. 9. It is unlawful in an establishment to expose any meat or meat-food product in such manner or place that it may be touched or handled by any person other than the owner, lessee, or manager of an establishment, or other than the agent or employe of such owner, lessee, or manager, or to expose any meat or meat-food product to insects, animals, or fowls.

¹ Pub. Health Repts. Reprint 338, p. 449.

Habit-Forming Drugs—Possession, Sale, and Dispensing—Establishment of Bureau or Division in State Health Department Authorized for Enforcing Act. (No. 282, Act July 11, 1917.)

SECTION 1. That, except as limited in section 2 of this act, the word "drug," as used in this act, shall be construed to include—(a) opium; or (b) coca leaves; or (c) any compound or derivative of opium or coca leaves; or (d) any substance or preparation containing opium or coca leaves; or (e) any substance or preparation containing any compound or derivative of opium or coca leaves.

SEC. 2. The word "drug" shall not be construed to include—(1) preparations and remedies and compounds which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or any salt or derivative of any of them, in 1 fluid ounce, if the same is liquid; or, if a solid or semisolid, in 1 avoirdupois ounce; (2) liniments, ointments, or other preparations, prepared and dispensed in good faith for external use only; providing such liniments, ointments, and preparations do not contain cocaine or any of its salts, or alpha or beta eucaine or any of their salts, or any synthetic substitute for cocaine or eucaine or their salts; (3) decocainized coca leaves, or preparations made therefrom, or other preparations of coca leaves which do not contain cocaine: *Provided, however,* That no preparations, remedies or compounds containing any opium, or coca leaves, or any compound or derivative thereof, in any quantity whatsoever, may be sold, dispensed, distributed, or given away to, or for the use of, any known habitual user of drugs, except in pursuance of a prescription of a duly licensed physician or dentist.

SEC. 3. The word "person," as used in this act, shall be construed to include an individual, a copartnership, or an association. Masculine words include the feminine or neuter. The singular includes the plural. The word "prescription" shall be construed to designate a written order, by a duly licensed physician, dentist, or veterinarian, calling for a drug, or for any substance or preparation containing a drug.

SEC. 4. No person shall have in his possession or under his control, or deal in, dispense, sell, deliver, distribute, prescribe, traffic in, or give away, any of said drugs. This section does not apply, in the regular course of their business, profession, employment, occupation, or duties, to—(a) manufacturers of drugs; (b) persons engaged in the wholesale drug trade; (c) importers or exporters of drugs; (d) registered pharmacists actually engaged as retail druggists; (e) bona fide owners of pharmacies or drug stores; (f) licensed physicians; (g) licensed dentists; (h) licensed veterinarians; (i) persons in the employ of the United States, or of this Commonwealth, or of any county, municipality, or township of this Commonwealth, and having such drugs in their possession by reason of their official duties; (j) warehousemen, or common carriers, engaged, bona fide, in handling or transporting drugs; (k) persons regularly in charge of drugs in dispensaries, hospitals, asylums, sanatoriums, poorhouses, jails, penitentiaries, or public institutions; (l) nurses under the supervision of a physician; (m) persons in charge of a laboratory where such drugs are used for the purpose of medical or scientific research only; (n) captains, or proper officers, of ships upon which no regular physician is employed, for the actual medical needs of the officers and crews of their own ship only; (o) persons having said drugs in their possession for their own personal use only: *Provided,* That they have obtained the same in good faith, for their own use, from a duly licensed physician or dentist, or in pursuance of a prescription given them by a duly licensed physician or dentist; (p) persons having said drugs in their possession for the use of an animal belonging to them: *Provided,* That they have obtained the same in good faith, from a duly licensed veterinarian, for the use of such animal, or in pursuance of a prescription given by a duly licensed veterinarian; (q) persons in the bona fide employ of any of the persons above enumerated.

SEC. 5. No person shall use, take, or administer to his person, or cause to be administered to his person, or administer to any other person, or cause to be administered to any other person, any of the aforesaid drugs, except under the advice and direction, and with the consent, of a regularly practicing and duly licensed physician or dentist.

SEC. 6. No manufacturer, producer, importer, exporter or person engaged in the wholesale drug trade, and regularly selling drugs, shall sell, dispense, distribute, or give away, any of said drugs, except to—(a) a duly licensed physician; (b) a duly licensed pharmacist; (c) a duly licensed dentist; (d) a duly licensed veterinarian; (e) a manufacturer of drugs; (f) a person engaged in the wholesale drug trade and regularly selling drugs; (g) an exporter of drugs; (h) a bona fide hospital, dispensary, asylum, or sanatorium; (i) a public institution; (j) a bona fide owner of a pharmacy or drug store; (k) a person in a foreign country; (l) a person in charge of a laboratory where such drugs are used for the purpose of scientific and medical research only; (m) the captain, or proper officer, of a ship upon which no regular physician is employed, for the actual medical needs of the officers and crew of such ship only; (n) a person in the employ of the United States, of this Commonwealth, or of any county, municipality, or township thereof, purchasing or receiving the same in his official capacity.

No manufacturer, producer, importer, or person engaged in the wholesale drug trade, and regularly selling drugs, shall sell, dispense, distribute, or give away any of said drugs, except in pursuance of a written order signed by the person to whom such drug is sold, dispensed, distributed, or given. Such order shall be preserved for a period of two years, in such a way that it will be readily accessible to inspection by the proper authorities.

SEC. 7. No registered pharmacist, or bona fide owner of a pharmacy or drug store, regularly engaged in the sale of drugs at retail, shall sell, dispense, distribute, or give away any of said drugs, except to—(a) another registered pharmacist or bona fide owner of pharmacy or drug store; (b) a duly licensed physician; (c) a duly licensed dentist; (d) a duly licensed veterinarian; (e) a bona fide hospital, dispensary, asylum, sanatorium, or public institution; (f) an individual, in pursuance of a written prescription issued by a physician, dentist, or veterinarian, which prescription shall be dated as of the day on which signed, and shall be signed by the physician, dentist, or veterinarian who issued the same; (g) a person in charge of a laboratory where such drugs are used for the purpose of medical or scientific research only; (h) the captain, or proper officer, of a ship upon which no regular physician is employed, for the actual medical needs of the officers and crew of such ship only; (i) a person in the employ of the United States, or of this Commonwealth, or of any county, municipality, or township thereof, purchasing or receiving the same in his official capacity.

No registered pharmacist, or bona fide owner of a pharmacy or drug store, regularly engaged in the sale of drugs at retail, shall sell, dispense, distribute, or give away any of said drugs, except in pursuance of a written order signed by the person to whom such drugs are sold, dispensed, distributed, or given. Such order shall be preserved, for a period of two years, in such a way that it will be readily accessible to inspection by the proper authorities. When such drugs are sold, dispensed, distributed, or given to an individual, in pursuance of a prescription, such prescription shall be regarded as the written order herein required, and no further written order shall be necessary.

SEC. 8. No physician or dentist shall sell, dispense, administer, distribute, give, or prescribe any of said drugs to any person known to such physician or dentist to be an habitual user of any of said drugs, unless said drug is prescribed, administered, dispensed, or given for the cure or treatment of some malady other than the drug habit: *Provided, however,* That if any physician desires to undertake, in good faith, the cure of the habit of taking or using opium or any of its derivatives, in any form, such physician may prescribe or dispense opium or its derivatives to a patient, pro-

vided such opium or its derivatives are prescribed or dispensed in good faith, for the purpose of curing such patient of such habit, and not merely for the purpose of satisfying a craving for the drug. In every such case the physician shall himself make a physical examination of the patient, and shall report, in writing, to the proper officer of the board of health of the city, borough, town, or township in which he resides, or to the State department of health, where there is no local board of health, the name and address of such patient, together with his diagnosis of the case and the amount and nature of the drug prescribed or dispensed in the first treatment. When the patient leaves his care such physician shall report, in writing, to said officer of the board of health, or to the State department of health, the result of his said treatment.

Any person divulging any information contained in any such report, except for the purpose of enforcing this act, or to a physician who may, in the opinion of the chief of the board of health or of the commissioner of health, be entitled to such information for the purpose of enabling him to comply with the provisions of this act, shall be sentenced to pay a fine not exceeding \$1,000, or to undergo an imprisonment not exceeding one year, or both, in the discretion of the court.

SEC. 9. No physician, dentist, or veterinarian shall administer, dispense, give away, deliver, or prescribe any of said drugs, except after a physical examination of the person or animal for whom said drugs are intended; said examination to be made at the time said prescription is issued, or at the time said drug is administered, dispensed, given away, or delivered by said physician, dentist, or veterinarian. No veterinarian shall sell, dispense, distribute, give, or prescribe any drug for the use of a human being.

SEC. 10. Every physician, dentist, and veterinarian shall keep a record of all said drugs administered, dispensed, or distributed by him, showing the amount administered, dispensed, or distributed, the date, the name and address of the patient; and, in the case of a veterinarian, the name and address of the owner of the animal to whom such drugs are dispensed or distributed; such records shall be kept for two years from the date of administering, dispensing, or distributing such drug, and shall be opened for inspection by the proper authorities. No record need be kept of any drug administered in an emergency case.

SEC. 11. This act shall not be construed to apply to the treatment of habitual users of drugs in public hospitals, sanatoriums, poorhouses, prisons, or public institutions.

SEC. 12. Any person who shall violate, or fail to comply with, any of the provisions of this act, except as provided in the last paragraph of section 8, shall be guilty of a misdemeanor; and, upon conviction, shall be sentenced to pay a fine not exceeding \$2,000, or to undergo an imprisonment not exceeding 5 years, or both, at the discretion of the court. If the violation is by a corporation, copartnership, or association, the officers and directors of such corporation, or the members of such copartnership or association, their agents and employes, with guilty knowledge of the fact, shall be deemed guilty of a violation of the provisions of this act to the same extent as though said violation were committed by them personally.

SEC. 13. In any prosecution under this act it shall not be necessary to negative any of the exemptions of this act in any complaint, information, or indictment. The burden of proving any exemption under this act shall be upon the defendant.

SEC. 14. Any license heretofore issued to any physician, dentist, veterinarian, pharmacist, druggist, or registered nurse may be either revoked or suspended by the proper officers or boards having power to issue licenses to any of the foregoing, upon proof that the licensee is addicted to the use of any of said drugs, after giving such licensee reasonable notice and opportunity to be heard.

SEC. 15. Whenever any physician, dentist, veterinarian, pharmacist, druggist, or registered nurse is convicted, in a court having jurisdiction, of any violation of this

act, the license of such physician, dentist, veterinarian, pharmacist, druggist, or registered nurse may be revoked or suspended by the proper officers or boards having power to issue licenses to any of the foregoing classes, after giving such licensee reasonable notice and opportunity to be heard.

The term "license," as used in sections 14 and 15 of this act, shall be construed to include all licenses heretofore issued to any physician, dentist, veterinarian, pharmacist, druggist, or registered nurse, whether said license was issued by the officers or boards at present having power to issue the same, or whether granted under previous authority.

The term "officers or boards," as used in sections 14 and 15 of this act, shall be construed to designate such officers or boards as have power to issue licenses to physicians, dentists, veterinarians, pharmacists, druggists, or registered nurses at the time the power to revoke or suspend the license is exercised.

SEC. 16. The provisions of this act shall be enforced by the department of health of the Commonwealth of Pennsylvania; and for that purpose the commissioner of health is hereby authorized to establish, in the department of health, a bureau or division for such purpose, and to employ such assistants, stenographers, inspectors, clerks, and other employees as, in his opinion, may be necessary, and to fix their compensation. For the purpose of enforcing the provisions of this act the commissioner of health, and his assistants, either in said bureau or division, or any other bureau or division of his department, shall have the right to examine, at any time, any or all of the records required by this act to be kept; and the commissioner of health may further require persons dealing in, buying, selling, handling, or giving away drugs to make such reports to him, or to the bureau aforesaid, as he may deem necessary or advisable. This section shall not be construed to exclude the other duly constituted authorities in this Commonwealth from enforcing the provisions of this act.

Drugs—Adulteration and Misbranding. (No. 196, Act June 7, 1917.)

SECTION 1. That section 2 of the act, approved the 8th day of May, 1909 (pamphlet laws, 470), entitled "An act to prevent the manufacture and sale of adulterated or misbranded drugs; defining the word 'drug;' prescribing penalties for violation of this act, and the method of its enforcement," which reads as follows:

"SEC. 2. That the term 'drug,' as used in this act, shall include all medicines and preparations recognized in the United States Pharmacopoeia, the National Formulary, or the American Homeopathic Pharmacopoeia, for the internal or external use, and any substance, or mixture of substances, intended to be used for the cure, mitigation, or prevention of disease of either man or other animals," is hereby amended to read as follows:

SEC. 2. That the term "drug," as used in this act, shall include all medicines and preparations recognized in the ninth revision of the Pharmacopoeia of the United States, the fourth edition of the National Formulary, or the American Homeopathic Pharmacopoeia, for the internal or external use, and any substance or mixture of substances, intended to be used for the cure, mitigation, or prevention of disease of either man or other animals.

SEC. 2. Section 3 of said act, which reads as follows:

"Section 3. That for the purpose of this act, an article shall be deemed to be adulterated:

"First. If a drug is sold under or by any name recognized by the United States Pharmacopoeia, the National Formulary, or the American Homeopathic Pharmacopoeia, it differs from the standard of strength, quality, or purity as determined by the test or formula laid down in the United States Pharmacopoeia, the National

Formulary, or the American Homeopathic Pharmacopoeia: *Provided*, That no drug defined in the United States Pharmacopoeia, the National Formulary, or the American Homeopathic Pharmacopoeia, except official preparations of opium, iodine, peppermint, camphor, ginger and ethyl nitrit, shall be deemed to be adulterated, under this provision, if the standard of strength, quality, or purity be plainly stated upon the bottle, box, or other container thereof, although the standard may differ from that determined by the test or formula laid down by the United States Pharmacopoeia, the National Formulary, or the American Homeopathic Pharmacopoeia.

"Second. If its strength or purity fall below the professed standard or quality under which it is sold," is hereby amended to read as follows:

SEC. 3. That for the purpose of this act an article shall be deemed to be adulterated:

First. If a drug is sold under or by any name recognized by the ninth revision of the Pharmacopoeia of the United States, the fourth edition of the National Formulary, or the American Homeopathic Pharmacopoeia, it differs from the standard of strength, quality, or purity as determined by the test or formula laid down in the ninth revision of the Pharmacopoeia of the United States, the fourth edition of the National Formulary, or the American Homeopathic Pharmacopoeia: *Provided*, That no drug defined in the ninth revision of the Pharmacopoeia of the United States, the fourth edition of the National Formulary, or the American Homeopathic Pharmacopoeia, except official preparations of opium, iodine, peppermint, camphor, ginger and ethyl nitrit, shall be deemed to be adulterated, under this provision, if the standard of strength, quality, or purity be plainly stated, in juxtaposition with the official standard of strength, quality, and purity, upon the bottle, box, or other container thereof, although the standard may differ from that determined by the test or formula laid down by the ninth revision of the Pharmacopoeia of the United States, the fourth edition of the National Formulary, or the American Homeopathic Pharmacopoeia.

Second. If its strength or purity fall below the professed standard or quality under which it is sold.

SEC. 3. Section 4 of said act, which reads as follows:

"SEC. 4. That for the purpose of this act, an article shall be deemed to be misbranded:

"First. All drugs, the package or label of which shall bear any statement, design, or device regarding such article, or the ingredients or substance or substances contained therein, shall be false or misleading in any particular.

"Second. If it be an imitation of, or offered for sale under, the name of another article.

"Third. If the contents of the package as originally put up shall have been removed, in whole or in part thereof, and other contents shall have been placed in such package; or if the package fail to bear statement on the label of the presence of any alcohol, morphine, opium, heroin, cocaine, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, phenacetine, antypyrine, or any derivative or any preparation of any such substances, contained therein: *Provided*, That nothing in this paragraph apply to the filling of written prescriptions, furnished by practicing physicians, dentists, and veterinarians, and kept on file by pharmacists; or as to such preparations as are specified and recognized by the United States Pharmacopoeia, the National Formulary, and the American Homeopathic Pharmacopoeia, which are made in accordance therewith and are sold under titles designated therein," is hereby amended to read as follows:

SEC. 4. That for the purpose of this act an article shall be deemed to be misbranded:

First. All drugs, the package or label of which shall bear any statement, design, or device regarding such article, or the ingredients or substance or substances contained therein, shall be false or misleading in any particular.

Second. If it be an imitation of, or offered for sale under, the name of another article.

Third. If the contents of the package as originally put up shall have been removed, in whole or in part thereof, and other contents shall have been placed in such package; or if the package fail to bear statement on the label of the presence of any alcohol, morphine, opium, heroin, cocaine, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, phenacetine, antypyrine, or any derivative or any preparation of any such substances, contained therein: *Provided*, That nothing in this paragraph apply to the filling of written prescriptions, furnished by practicing physicians, dentists, and veterinarians, and kept on file by pharmacists; or as to such preparations as are specified and recognized by the ninth revision of the Pharmacopoeia of the United States, the fourth edition of the National Formulary, and the American Homeopathic Pharmacopoeia, which are made in accordance therewith and are sold under titles designated therein.

Fourth. If its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such article, or any of the ingredients or substances contained therein, which is false or fraudulent.

SEC. 4. That section 5 of said act, which reads as follows:

"SEC. 5. That the enforcement of this act shall be entrusted to the State pharmaceutical examining board, who shall receive as compensation for their services the same per diem and expenses that they receive as members of the State pharmaceutical examining board, under the act of May 24, 1887. They shall make uniform rules and regulations for carrying out the provisions of this act, including the collection and examination of specimens of drugs manufactured or offered for sale in the State; and shall appoint an executive secretary, who shall work under the directions of said board; and they shall also have power to employ such agents, chemists, attorneys, and assistants as may be necessary for this purpose," is hereby amended to read as follows:

SEC. 5. That the enforcement of this act shall be entrusted to the State pharmaceutical examining board, who shall receive as compensation for their services the same per diem and expenses that they receive as members of the State pharmaceutical examining board, under the act of May 24, 1887. They shall make uniform rules and regulations for carrying out the provisions of this act, including the collection and examination of specimens of drugs manufactured or offered for sale in the State; and shall appoint an executive secretary, who shall work under the directions of said board; and they shall also have the power to employ such agents, chemists, attorneys, and assistants as may be necessary for this purpose; and they or their duly authorized agents shall have the right to enter any place where drugs are compounded, dispensed, or sold, for the purpose of purchasing samples; and shall have the right to purchase samples in order that tests may be made to determine whether such drugs conform to the standards of strength, quality, and purity as fixed by the laws of this Commonwealth. Any person who intentionally prevents, or knowingly refuses, to permit any authorized person to enter any place where drugs are compounded, dispensed, or sold, for the purpose of purchasing samples, or refuses to sell a sample or samples of drugs for the purpose of examination, shall, upon conviction, be sentenced to pay a fine of \$10 and costs of prosecution: *Provided, however*, That this section shall not be construed as granting any right or privilege to said board, or their agents thereof, of inspecting any place where drugs are sold or manufactured, or any formula or process of manufacture of any drug.

Health Insurance—Investigation by Commission. (No. 414, Act July 25, 1917.)

SECTION 1. That a commission is hereby created, to be known as the health insurance commission, which shall investigate:

1. Sickness and accident of employes and their families, not compensated under the provisions of the workmen's compensation act of 1915, the loss caused to individuals and to the public thereby, and the causes thereof;

2. The adequacy of the present method of treatment and care of such sickness and injury;

3. The adequacy of the present methods of meeting the losses caused by such sickness or injury, either by mutual or stock insurance companies or associations, by fraternal or other mutual benefit associations, by employers and employees jointly, by employees alone, or otherwise;

4. The influence or [of?] working conditions on the health of employed persons; and

5. Methods for the prevention of such sickness,—all with a view to recommending ways and means for the better protection of employees from sickness and accident and their effects, and the improvement of the health of employed persons and their families in the Commonwealth. The commission shall hold public hearings in different parts of the Commonwealth. The commission shall submit a full final report, including such recommendations for legislation, by bill or otherwise, as in its judgment may seem proper, to the general assembly of 1919.

SEC. 2. *Members.*—The commission shall consist of three senators, to be appointed by the president pro tempore of the senate; three representatives, to be appointed by the speaker of the house of representatives; and three other persons, not members of the general assembly, to be appointed by the governor.

SEC. 3. *Powers.*—The commission shall have power to elect its chairman and other officers, to examine witnesses, books, and papers respecting all matters to be investigated, to issue subpoenas, to compel the attendance of witnesses and the production of books and papers, to administer oaths, to employ a secretary, experts in the matters to be investigated, and all necessary clerical and other assistants, to purchase books and all necessary supplies, and to rent halls for hearings. If the commission shall appoint from its members subcommittees to make an inquiry, the subcommittees shall have the same powers for the examination of persons and papers and to administer oaths as are herein conferred upon the commission. Salaries and other expenses of the commission shall be paid upon vouchers approved by the chairman of the commission, up to the amount appropriated by the general assembly.

SEC. 4. *Cooperation of other departments.*—The commissioner of health and the commissioner of labor and industry are hereby directed to cooperate with the commission, and to render it any such proper aid and assistance as in their judgment may not interfere with the proper conduct of their respective departments; and, as far as possible, rooms in buildings owned or leased by the Commonwealth shall be assigned to the commission for hearings or other purposes.

SEC. 5. *Appropriation.*—The sum of \$5,000, or so much thereof as may be necessary, is hereby specifically appropriated for the actual and necessary expenses of the commission in carrying out the provisions of this act. Payment of the money shall be on order of the chairman of the commission and on warrant of the auditor general.

Mausoleums and Burial Vaults—Construction and Use. (No. 221, Act June 23 1917.)

SECTION 1. That (1) after the passage of this act, the erection, construction, or building of any mausoleum, vault, crypt, or structure intended to hold or contain the bodies of the dead, shall be under the direct supervision of the State department of health, subject to the following conditions and provisions:

(2) Before commencing the erection of any mausoleum, vault, crypt, or structure to which the public has access, intended for interment of the dead, the person, firm, or corporation intending to erect such structure shall first present to the State department of health, for examination and approval, detail plans and specifications of the mausoleum or vault to be erected. Such detailed plans and specifications shall in any and every case show the exact location, and provide for (a) a structure so arranged that every part thereof may be readily examined by any person regularly appointed to make such examination at any time during its construction; (b) that proper pro-

vision is made for permanently sealing each individual crypt after the placing of a dead body therein, and in such manner that no danger to the health of the community may arise therefrom; (c) that the materials used in the construction of the exterior of any such vault or mausoleum shall be in accordance with plans and specifications approved by the department of health, and shall be evidenced by a permit in writing signed by the State commissioner of health; and such signed approval, together with the detailed plans and specifications so approved, shall, before work is commenced on such structure, be filed in the office of the recorder of deeds of the county wherein such building is to be erected, and there remain as a public record.

(3) The erection of such vault or mausoleum shall be under the supervision of an inspector appointed by the State department of health, and who shall be competent to perform such work and with a knowledge of such construction. The duty of such inspector shall be to see that the plans and specifications for such structure are complied with in every detail; the said inspector having full power to reject any materials of construction not fully up to the standard required in the plans and specifications, and it shall be obligatory that the inspector shall either accept or reject any portion of the work completed at the time of each inspection. A written report of such acceptance or rejection shall immediately be made to the person, firm, or corporation erecting such structure at the time such acceptance or rejection is made. No deviation from the original specifications shall be permitted, except that the internal arrangement of crypts within such structure may be changed if necessary.

(4) No mausoleum, vault, or crypt, as aforementioned, shall be used for the purpose of interring or depositing therein any dead bodies until there shall have been obtained from the State department of health a final certificate permitting such interment; such certificate to be filed with the recorder of deeds of the county in which such building is located.

(5) It is distinctly understood that the Commonwealth of Pennsylvania shall in no way be held responsible for any liability resulting from any permit given by the department of health, as hereinbefore provided.

(6) This act shall take effect immediately: *Provided, however*, That it shall not apply to or affect any mausoleum or vault now in course of erection, or which shall have been wholly or partially sold, except as the burial of bodies is controlled by existing law.

(7) All mausoleums, vaults, crypts, or structures intended to hold or contain the bodies of the dead, now or hereafter erected, shall be exempt from taxation, in like manner as cemeteries are exempt by law.

**Rag-Shops, Secondhand Paper Shops, and Junk Shops in Cities of the First Class—
Licensing and Regulation. (No. 243, Act July 5, 1917.)**

SECTION 1. That on and after January 1, 1918, it shall be unlawful for any person, firm, or corporation to own, operate, or conduct any rag shop, secondhand paper shop, or junk shop in cities of the first class, without having first received a license from the board of health for said cities to own, operate, or conduct the said shop; and the board of health of said cities is hereby authorized and empowered to issue licenses for said purpose, and to make rules and regulations for the location, conduct, and operation of said shops.

SEC. 2. The fee for a license, as provided for in this act, shall be \$10 per annum for each rag shop, secondhand paper shop, and junk shop; the license shall not be transferable as to person or place, and shall be revocable upon failure to comply with the rules and regulations of such board of health.

SEC. 3. Violators of any of the provisions of this act shall be punishable, by summary conviction before a magistrate, by a fine of \$25 or imprisonment, in default of fine, of not less than 5 days or more than 15 days, subject to appeal, as in cases of summary conviction.

PHILIPPINE ISLANDS.

Tuberculosis and Other Communicable Diseases Among Prisoners—Establishment of Prison Sanatorium. (No. 2695, Act Mar. 9, 1917.)

SECTION 1. The secretary of justice is hereby authorized to ascertain and secure an appropriate site for the confinement and care of persons committed to prison who are found to be suffering from tuberculosis and other dangerous communicable diseases and for such persons as during imprisonment shall be found to have developed such diseases for which suitable provision has not otherwise been made by the government. In addition to conditions favoring the isolation, restoration to health by appropriate exercise and productive labor of such of these prisoners as are in the earlier stages of disease, and the greatest practicable economy in the maintenance of such prisoners there shall be provided in connection with this prison sanatorium the necessary and suitable land for the utilization of prison labor in production of foodstuffs for the subsistence of prisoners in the establishment hereby authorized, at Bilibid Prison and other insular prisons.

For the purpose of carrying into immediate effect the above provisions and requirements there is hereby appropriated from any funds in the insular treasury not otherwise appropriated the sum of 25,000 pesos which is hereby made available immediately, and in addition thereto the secretary of justice is hereby authorized to incur obligations in a total sum not exceeding 100,000 pesos payable during the fiscal year 1918, for the acquisition of the necessary land and equipment, the construction of the necessary structures of light or mixed materials and other necessary services and supplies not available from those authorized and provided for in the regular appropriation for the bureau of prisons: *Provided*, That with the approval of the secretary of justice, the insular auditor is hereby authorized to place to the credit of this appropriation for the construction of permanent buildings and other improvements all savings from the funds otherwise appropriated for the bureau of prisons which are not required for expenditure as previously appropriated because of economies in the subsistence and maintenance otherwise of prisoners in the various insular prisons by reason of the establishment of the prison sanatorium herein authorized and the foodstuffs there produced by prison labor.

Tiquitiqui Extract—Appropriation for Manufacture, Distribution, and Sale. (No. 2714, Act Mar. 17, 1917.)

SECTION 1. There is hereby appropriated, out of any funds in the insular treasury not otherwise appropriated, the sum of 12,000 pesos or so much thereof as may be necessary, for the purchase of the necessary apparatus and, in general, for the manufacture of the liquid extract of bran commonly known as tiquitiqui, and for its gratuitous distribution among the indigent classes in the Philippine Islands as a means of combating infantile beriberi. The board of directors of the Philippine National League for the Protection of Early Infancy shall recommend the method of preparation of said extract of bran and, subject to the direction of the department of agriculture and natural resources, the bureau of science shall have charge of its manufacture.

SEC. 2. Said board of directors of the Philippine National League, either directly or through the bureau of health, shall take charge of the gratuitous distribution of said remedy to such persons as may need the same and have not the means of purchasing it, and shall present a written report to the Philippine Legislature, through the secretary of agriculture and natural resources, at the beginning of each session, stating the work performed and results obtained and containing any other information deemed necessary.

SEC. 3. In case there is no extract of bran to be had in the market, the department of agriculture and natural resources may authorize the bureau of science to sell such remedy at the cost of production, plus the proportional expense of preparing and dispatching the same, to any person requiring it by reason of a medical prescription.

Medical and Charitable Work—Appropriation. (No. 2671, Act Jan. 10, 1917.)

SECTION 1. There is hereby appropriated, out of any funds in the insular treasury not otherwise appropriated, the sum of 150,000 pesos, or so much thereof as may be necessary, to be disbursed, in the discretion of the secretary of the interior, in connection with the care and treatment of patients in the several hospitals of Manila and the Provinces, the maintenance of beds for advanced cases of tuberculosis, the usual dispensing of free medicine at the several dispensaries, the maintenance and care of invalids, orphans, and indigent insane, and, in general, for such other work or expenditures related to public beneficence and charity as said secretary of the interior may authorize and direct.

School of Nursing—Establishment in Southern Islands Hospital Division. (No. 2725, Act Dec. 18, 1917.)

SECTION 1. With a view to preparing the greatest number possible of nurses in the Philippine Islands for the hospital service and the improvement of public health conditions, the secretary of the interior is hereby authorized to establish and create in the Southern Islands Hospital Division a school of nursing subject and subordinate to the school of nursing of the Philippine General Hospital. The school of nursing of the Southern Islands Hospital hereby established shall be under the executive control and supervision of the director and the superintendent of nurses of the Philippine General Hospital, in the same manner as the school of nursing of said general hospital, and the provisions of existing law not incompatible herewith, applicable to the school of nursing of the general hospital, shall be applicable also to the school of Nursing of the Southern Islands Hospital, as a dependency of the school of nursing of said Philippine General Hospital. The funds necessary for the purposes of this act shall be appropriated in the appropriation acts.

SEC. 2. In order to facilitate the carrying out of the purposes of this act, it is necessary and it is hereby provided, that the Southern Islands Hospital Division be transferred from the Philippine Health Service to the Philippine General Hospital, so that hereafter the said Southern Islands Hospital shall constitute a dependency of the Philippine General Hospital.

SEC. 3. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 4. This act shall take effect on January 1, 1918.

Proprietary Medicines—Labeling and Sale—Analysis. (No. 2680, Act Mar. 9, 1917.)

SECTION 1. Section 1 of act numbered 2,342, entitled "An act regulating the labeling, sale, and advertising of patent and proprietary medicines, fraudulent therapeutic appliances and devices, and for the protection of the people of the Philippine Islands against the exploitation of such articles," is hereby amended to read as follows:

SECTION 1. It shall hereafter be unlawful to import, sell or offer for sale any preparation, whether a simple substance or of compounded substances, for the prevention, alleviation or cure of human ailments unless a qualitatively and quantitatively correct description of the principal drugs and toxic substances to which said preparation owes its action, expressed in the language, descriptions, and abbreviations used in the United States Pharmacopœia or other accepted pharmacopœias or formularies,

appears plainly and legibly upon the bottle, label or package immediately containing the preparation, in such wise that it shall reach the purchaser at each and every purchase. If any nonofficial drug or substance be used in the preparation, it shall be plainly described under its ordinary name or customary chemical term, and not by any fancy or proprietary name. It shall be the duty of every importer and manufacturer of any of the preparations above mentioned to forthwith furnish the bureau of science with a specimen of the preparation as it is to be exhibited for sale, and immediately upon the receipt thereof, the bureau of science shall analyze such preparation. In case the analysis made by the bureau of science shows the statement of the principal drugs and toxic substances on the bottle, label, or package to be false, fraudulent or incorrect to the extent of its being liable to mislead and cause injury, it shall be the duty of the director of science to inform the manufacturer or importer of the result and it shall thereafter be unlawful to have possession of such preparation except for reexportation within such period of time as the director of science may designate: *Provided*, That in case the manufacturer or his agent shall not accept the result of the analysis made by the bureau of science, the director of science shall appoint a technical board, composed of a physician and two duly qualified pharmacists, which shall verify the accuracy of the formula questioned and the decision of which shall be final and unappealable.

PORTO RICO.

Communicable Diseases—Notification of Cases. (Proclamation Apr. 10, 1917.)

That article 2 of regulation No. 43 shall be amended as follows:

SEC. 2. All persons who legally practice medicine, or any of its branches in Porto Rico, shall be obliged to notify the sanitary officials of the district after first visit, of the suspicion or existence of any case of the following diseases:

- | | |
|---------------------|---------------------------------------|
| 1. Actinomycosis. | 12. Pellagra. |
| 2. Anthrax. | 13. Acute poliomyelitis (infectious). |
| 3. Beriberi. | 14. Whooping cough. |
| 4. Colibacillosis. | 15. Malignant pustule. |
| 5. Dengue. | 16. Tetanus. |
| 6. Malta fever. | 17. Tetanus of new-born infants. |
| 7. Filariosis. | 18. Ring-worm. |
| 8. Leprosy. | 19. Tuberculosis (all forms). |
| 9. Malaria. | 20. Uncinariasis. |
| 10. Paragonimiasis. | 21. Measles. |
| 11. Parotitis. | |

SEC. 3. All rules and regulations or ordinances in conflict herewith are hereby repealed and any infringement of the provisions of these rules and regulations shall be punished in accordance with section 33¹ of the law of sanitation in force since April 1, 1912.

Communicable Diseases—Emergency Epidemic Fund Appropriated. (J. R. 4, Apr. 12, 1917.)

SECTION 1. That the sum of \$20,000 is hereby appropriated from any available moneys in the treasury of Porto Rico, for the purpose of providing an emergency fund for the payment of physicians, sanitary inspectors and other persons temporarily employed, and for the providing of proper places for the isolation of patients and the purchase of disinfectants and medicines required for use in aiding in the prevention, control and suppression of epidemics of dangerous communicable diseases in Porto Rico, when necessary to prevent their introduction into the island, or to prevent their spreading from one locality to another, and to provide a contingent fund to meet unusual and unexpected demands of the department of health with regard to such epidemics; said appropriation shall be available until exhausted and shall be expended by the commissioner of health.

Insular Department of Health—Establishment—Commissioner of Health. (Ch. 145, Act of Congress, Mar. 2, 1917.)

* * * * *

SEC. 13. That the following executive departments are hereby created: * * * a department of health, the head of which shall be designated as the commissioner of health. * * * The heads of the four remaining departments [this includes the department of health] shall be appointed by the governor, by and with the advice and consent of the senate of Porto Rico. The heads of departments appointed by the governor shall hold office for the term of four years and until their successors are appointed and qualified, unless sooner removed by the governor.

¹ Pub. Health Repts. Reprint 200, p. 185.

Heads of departments shall reside in Porto Rico during their official incumbency, and those appointed by the governor shall have resided in Porto Rico for at least one year prior to their appointment.

The heads of departments shall collectively form a council to the governor, known as the executive council. They shall perform under the general supervision of the governor the duties hereinafter prescribed, or which may hereafter be prescribed by law and such other duties, not inconsistent with law, as the governor, with the approval of the President, may assign to them; and they shall make annual and such other reports to the governor as he may require, which shall be transmitted to the executive department of the Government of the United States to be designated by the President as herein provided: *Provided*, That the duties herein imposed upon the heads of departments shall not carry with them any additional compensation.

* * * * *

Sec. 19. That the commissioner of health shall have general charge of all matters relating to public health, sanitation, and charities, except such as relate to the conduct of maritime quarantine, and shall perform such other duties as may be prescribed by law.

* * * * *

Assistant Commissioner of Health—Appointment and Duties—Salary of Commissioner of Health. (J. R. 2, Mar. 30, 1917.)

* * * * *

Sec. 2. The commissioner of health shall appoint an assistant commissioner of health, who shall perform such duties as may be assigned to him by law.

In case of the absence, death, removal or resignation of the commissioner, the assistant commissioner shall substitute him in office until the former's successor is appointed and shall have qualified.

* * * * *

Sec. 4. The heads of departments created by an act of Congress approved March 2, 1917, whose salaries are not fixed by said act, shall draw a salary of \$5,000, payable in proportional parts on the last day of each month. [This applies to the commissioner of health.]

Insular Department of Health—Appropriations—Reorganization of Sanitation Service. (Act 71, Dec. 6, 1917.)

SECTION 1. That for the purpose of reorganizing the sanitation service, the act approved April 12, 1917, making appropriations for the necessary expenses of carrying on the Government of Porto Rico, is hereby amended inasmuch as relates to the department of health.

Sec. 2. The amounts included in said amended budget shall be applicable only to the six months of the current fiscal year included between January 1, 1918, on which date this reorganization shall take effect, and June 30, 1918, as follows:

DEPARTMENT OF HEALTH.

SEC. 3. *Salaries, office of the commissioner of health, commissioner's office proper.*—Commissioner, for 6 months, \$2,500; assistant commissioner, for 6 months, \$1,500; stenographer, for 6 months, \$750; secretary to the commissioner, \$750; 3 food and drug inspectors, at \$1,600 each per annum, for 6 months, \$2,400; file clerk, for 6 months, \$600; 2 veterinary inspectors, at \$1,400 each, for 6 months, \$1,400; assistant veterinary inspector, \$600; chauffeur, for 6 months, 360; 2 chauffeurs, at \$600 each per annum, for 6 months, \$600; clerk, for 6 months, \$240; telephone operator, for 6 months, \$240; 2 messengers, at \$420 each per annum, for 6 months, \$420; janitor, for 6 months, \$210; \$12,570.

Insular board of health.—Secretary, for 6 months, \$1,200; clerk for the work of the insular board of health and boards of examiners, for 6 months, \$500; fees of the insular board of health, for 6 months, \$750; \$2,450.

Division of property and accounts.—Chief of division, for 6 months, \$1,200; book-keeper, for 6 months, \$900; clerk, for 6 months, \$600; clerk, for 6 months, \$600; clerk, for 6 months, \$500; \$3,800.

Division of sanitary engineering.—Sanitary engineer, for 6 months, \$1,250; assistant sanitary engineer, for 6 months, \$1,000; assistant sanitary engineer, for 6 months, \$1,000; draftsman, for 6 months, \$700; 2 plumbing inspectors, at \$1,300 each per annum, for 6 months, \$1,300; typist, for 6 months, \$600; clerk, for 6 months, \$250; \$6,100.

Bacteriological laboratory.—Laboratory director, for 6 months, \$1,200; bacteriologist, for 6 months, \$900; laboratory assistant, for 6 months, \$450; laboratory assistant, for 6 months, \$300; janitor, for 6 months, \$210; \$3,060.

Chemical laboratory.—Laboratory director, for 6 months, \$1,200; chemist, for 6 months, \$750; assistant chemist for 6 months, \$550; pharmacist, for 6 months, \$600; clerk, for 6 months, \$500; janitor, for 6 months, \$210; \$3,810.

Division of transmissible diseases and statistics.—Chief of division, for 6 months, \$1,500; assistant chief of division, for 6 months, \$1,000; pathologist, for 6 months, \$1,000; laboratory assistant, for 6 months, \$500; clerk, for 6 months, \$450; clerk, for 6 months, \$450; clerk, for 6 months, \$300; clerk, for 6 months, \$300; messenger, for 6 months, \$210; \$5,710.

Total, salaries, office of the commissioner of health, \$37,500.

General expenses of the department.—Chemicals and disinfectants, for 6 months, \$250; killing and burying animals, for 6 months, \$75; lighting and water, for 6 months, \$400; purchase of vaccine virus and serum, for 6 months, \$500; labor, for 6 months, \$2,000; postage and freight, for 6 months, \$1,250; supplies and equipment, bacteriological laboratory, for 6 months, \$1,250; supplies and equipment, chemical laboratory, for 6 months, \$1,000; stationery, printing and publication of medical bulletin, for 6 months, \$750; rent of houses for offices, for 6 months, \$3,500; telephone and telegraph service, for 6 months, \$600; purchase of two automobiles and one truck, \$4,000; traveling expenses, including automobile supplies and repairs and allowances to officials of the department for automobile and motorcycle mileage, and for coaches and horses owned by said officials and used on official business, and feeding and care of animals owned by the department, for 6 months, \$6,000; unexpended property, \$250; incidentals—miscellaneous supplies, toilet articles, repairs to office furniture and typewriters and for other minor office expenses, for 6 months, \$500; \$22,325.

Total, office of the commissioner of health, \$59,825.

Salaries, field force.—Health officer, \$1,350; 2 medical inspectors, at \$3,000 each per annum, for 6 months, \$3,000; 2 health officers, at \$2,400 each per annum, for 6 months, \$2,400; 2 health officers, at \$2,000 each per annum, \$2,000; 4 health officers, at \$1,500 each per annum, for 6 months, \$3,000; 2 inspectors, at \$1,000 each per annum, for 6 months, \$1,000; 2 inspectors, at \$900 each per annum, for 6 months, \$900; 9 inspectors, at \$840 each per annum, for 6 months, \$3,780; 34 inspectors, at \$720 each per annum, for 6 months, \$12,240; 18 inspectors, at \$600 each per annum, \$5,400; 25 inspectors, at \$480 each, for 6 months, \$6,000; inspector, for 6 months, \$180; clerk-typewriter, for 6 months, 450; 4 messengers, at \$360 each per annum, for 6 months, \$720; 4 messengers, at \$300 each per annum, for 6 months, \$600; 2 messengers, at \$240 each per annum, for 6 months, \$240; \$43,260.

Total, field force, \$43,260.

Salaries, leper colony.—Resident minor surgeon, for 6 months, \$450; engineer for launch, for 6 months, \$240; attendant, for 6 months, \$210; attendant, for 6 months, \$210; 2 watchmen, at \$360 each per annum, for 6 months, \$360; 2 boatmen, at \$300 each per annum, for 6 months, \$300; cook, for 6 months, \$120; 3 laundresses, at \$210

each per annum, for 6 months, \$315; 2 servants, at \$180 each per annum, for 6 months, \$180; barber, for 6 months, \$90; cook, for 6 months, \$90;

Total, salaries, leper colony, \$2,565.

Subsistence of 40 patients and 16 employees, at 30 cents per day each, for 6 months, \$3,066; clothing and bedding, for 6 months, \$1,000; purchase of unexpendable property, for 6 months, \$250; incidentals—medicines, lighting, toilet articles, cigars and cigarettes, fuel, ice, laundry supplies, repairs to furniture and other miscellaneous expenses, for 6 months, \$1,000; \$5,316.

Total, leper colony, \$7,881.

Salaries, quarantine hospital.—Superintendent, for 6 months, \$360; nurse, for 6 months, \$240; cook, for 6 months, \$90; laundress, for 6 months, \$90; 2 servants, at \$180 each per annum, for 6 months, \$180; 2 servants, at \$156 each per annum, for 6 months, \$156.

Total, salaries, quarantine hospital, \$1,116.

Subsistence of patients and employees, for 6 months, \$500; lighting and water, for 6 months, \$150; incidentals, for 6 months, \$150; repair of the present buildings and construction of small sanitary houses for the proper separation of cases of transmissible disease, for 6 months, \$2,250; \$3,050.

Total, quarantine hospital, \$4,166.

Mosquito extermination and control and suppression of malaria, including care of malarial patients, including purchase and repair of equipment, construction and repair of buildings, including also purchase of the necessary land, payment of personnel, transportation expenses of patients, and other necessary expenses, for 6 months, \$12,500; \$12,500.

Suppression of anemia, including care of anemia patients, including purchase and repair of equipment, construction and repair of buildings, including also purchase of the necessary land, payment of personnel, transportation expenses of patients, and other necessary expenses, for 6 months, \$10,000; \$10,000.

Education and support of poor deaf-mute children, for 6 months, \$600; \$600.

Care of tuberculosis patients, including purchase and repair of equipment, construction and repair of buildings, and insurance on equipment and on buildings owned by the people of Porto Rico and used as a sanatorium, including also the purchase of the necessary land, payment of salaries of personnel and expenses of transportation of patients and other expenses, for six months, \$20,000; \$20,000.

Salaries, insane asylum.—Superintendent, for 6 months, \$1,200; assistant superintendent, for 6 months, \$1,000; physician, for 6 months, \$600; order clerk and storekeeper, for 6 months, \$750; dentist for all charitable institutions, for 6 months, \$700; clerk, for 6 months, 300; matron, for 6 months, \$300; trained nurse, for 6 months, \$300; minor surgeon, for 6 months, \$300; carpenter, for 6 months, \$300; head attendant, for 6 months, \$250; attendant, for 6 months, \$240; barber, for 6 months, \$240; 2 attendants, at \$420 each per annum, \$420; janitor, for 6 months, \$210; kitchen superintendent, for 6 months, \$210; porter, for 6 months, \$180; 3 attendants, at \$360 each per annum, for 6 months, \$540; seamstress, for 6 months, \$150; mason, for 6 months, \$300; 10 attendants, at \$300 each per annum, for 6 months, \$1,500; 10 attendants, at \$240 each per annum, for 6 months, \$1,200; servant, for 6 months, \$114; 5 servants, at \$204 each per annum, for 6 months, \$510; 19 servants, at \$204 each per annum, for 6 months, \$1,938.

Total, salaries, insane asylum, \$13,752.

For subsistence of 425 patients and not to exceed 64 employees, at not to exceed 20 cents per diem each, for 6 months, \$17,848.50; clothing and bedding, for 6 months, \$1,700; fuel, for 6 months, \$500; incidentals, for 6 months, \$750; water and lighting, for 6 months, \$1,000; medicines and supplies, for 6 months, \$500; transportation of patients, for 6 months, \$1,000; purchase of unexpendable property, \$550; \$23,848.50.

Total, insane asylum, \$37,600.50.

Salaries, blind asylum.—Oculist, for 6 months, \$600; manager, for 6 months, \$600; assistant manager and trained nurse, for 6 months, \$300; clerk and storekeeper, for 6 months, \$300; matron, for 6 months, \$210; watchman, for 6 months, \$180; assistant matron, for 6 months, \$150; seamstress, for 6 months, \$150; barber, for 6 months, \$150; cook, for 6 months, \$150; 2 attendants, at \$300 each per annum, for 6 months, \$300; 6 attendants, at \$240 each per annum, for 6 months, \$720; servant, for 6 months, \$102; 14 servants, at \$156 each per annum, for 6 months, \$1,092.

Total, salaries, blind asylum, \$5,004.

For subsistence of 108 patients and not exceeding 33 employees, at not exceeding 20 cents per diem each, for six months, \$5,146.50; clothing and bedding, for 6 months, \$450; purchase of unexpendable property, for 6 months, \$200; medicines and supplies, for 6 months, \$300; fuel, for 6 months, \$500; incidentals, for 6 months, \$300; water and lighting, for 6 months, \$250; transportation of patients, both ways, for 6 months, \$250; \$7,396.50.

Total, blind asylum, \$12,400.50.

Total, department of health, \$208,233.

SEC. 4. Any moneys received by the insane asylum from pay patients, in accordance with the regulations of said asylum, shall be deposited in the treasury of Porto Rico to the credit of the appropriation "insane asylum," divided equally between the subhead "subsistence" and the subhead "clothing and bedding," and shall be available for expenditure during the fiscal year in which they are received.

SEC. 5. All medical members of the department of health may practice their profession when such practice does not interfere with their duties.

SEC. 6. The part of the appropriation act passed by the legislative assembly and approved April 12, 1917, that refers to the department of health, except the clause referring to the Institute of Tropical Medicine and Hygiene of Porto Rico, and all laws or parts of laws in conflict herewith, are hereby repealed.

SEC. 7. This act being of imperative and urgent need and because the public service requires it shall take effect on the first day of January, 1918.

SEC. 8. After all obligations incurred by the department of health up to and including the date preceding that on which this act takes effect shall have been satisfied, all balances of the items of the budget now in effect shall be repaid into the treasury of Porto Rico.

Diseased Fowls—Sale Prohibited. (Proclamation Mar. 5, 1917.)

SECTION 1. The sale of fowls suffering from avian diphtheria, chicken pox, scab and tuberculosis is hereby prohibited.

SEC. 2. The diagnosis of the above-mentioned diseases shall be made by a veterinarian or by a properly instructed person duly authorized by the director of sanitation.

SEC. 3. No person, firm, syndicate, corporation or institution of any kind shall sell or expose for sale fowls suffering from the above-mentioned diseases.

SEC. 4. Any person, firm, corporation or institution of any kind that shall sell or expose for sale fowls suffering from any of the said diseases shall bear the loss of the sick fowls, which shall be seized and destroyed to prevent contagion to human beings; and for each subsequent offense they shall be fined not less than \$1 nor more than \$100.

SEC. 5. Any violation of this regulation shall be punishable as provided under section 33 of "An act to reorganize the sanitation service," approved March 14, 1912.

Animals—Importation—Inspection and Quarantine Against Communicable Diseases. (Proclamation Feb. 21, 1917.)

SECTION 1. That between article 1 and article 2 of sanitary regulations No. 20, "Governing transmissible diseases of animals," the following section be inserted:

ART. 2a. The director of sanitation, whenever he may consider it necessary may require the inspection of all kinds of cattle or any other animals for whatever use they

may be designed imported into Porto Rico before their entrance into the island and where necessary may hold in quarantine or under observation for the necessary period of time any such cattle or any animals, all expenses of said quarantine to be paid by the owner of such animals.

Whenever the existence of a transmissible disease in any point shall have been declared by the Department of Agriculture of the United States Government, and whenever a quarantine shall have been ordered against such district by said department of agriculture the director of sanitation may prohibit the entrance or importation of all kinds of cattle or other animals from such district.

The director of sanitation shall make known in each case the necessary order of inspection before importation or of quarantine, and all shipping companies that do import business in the island shall be duly notified, and said order shall be revoked as soon as the cause ceases to exist: *Provided*, That the director of sanitation shall give the necessary orders for visits of inspection on shipboard without causing unnecessary delays to passengers or owners of animals.

SEC. 2. That section 18 of the aforesaid regulation is hereby amended so as to read as follows:

ART. 18. Every ordinance or regulation not in accord with this regulation is hereby annulled, excepting the provisions set forth in regulations No. 5 for the regulation of the ownership of dogs, the suppression of stray animals and for the prevention of rabies. This regulation shall have the force and effect of law as soon as approved by the executive council and promulgated and published in accordance with the provisions of section 13¹ of "A law to reorganize the service of sanitation," approved March 14, 1912.

Foods and Drugs—Adulteration and Misbranding—Analyses—Destruction when Unfit for Use. (Proclamation May 10, 1917.)

ARTICLE 1. No person, syndicate, corporation or institution of whatever character it may be, shall sell, offer, expose or hold for sale or transport or store, any food or drug whatever, for consumption in the island of Porto Rico, if it be adulterated or misbranded, within the meaning of these terms as defined in this regulation, which is the same as that expressed in articles 7 and 8 of the food and drug act, approved by the Congress of the United States, on June 30, 1906.

ART. 2. Sanitary officials duly authorized by the director of the service, are thus authorized to receive "official samples" of foods and drugs, in any public establishment, belonging to any person, firm, syndicate, corporation or institution of whatever character it may be, obtaining said samples, if possible, in their original wrappers or containers, without opening, or if this is not possible, aliquot parts of the original wrappers or containers, sealing and labeling said wrappers or containers under his own signature and giving to the interested person a receipt in which is specified the name of the product and the number of samples taken. Whenever possible, three samples shall be taken, one of which shall be for the chemical laboratory and the other two shall be kept under charge and responsibility of the inspector. The director of the chemical laboratory shall instruct the inspector in writing in regard to the proper manner of wrapping, sealing and labeling the samples. One of these samples shall be given to the interested person, if he so desires. The third sample shall be deposited at the disposition of the court according to the judgment of said tribunal.

ART. 3. Inspectors are authorized to take an "official sample" of unopened products, or aliquot parts of their contents, in order to make an analysis or preliminary report in the laboratory, in which case only one sample shall be taken, which shall not be wrapped or sealed, but shall be labeled with its name, date and corresponding number. If in this examination the article should prove to be adulterated or misbranded, the

¹ Pub. Health Repts. Reprint 200, p. 180.

inspector shall take official samples, wrapped, sealed and labeled, as prescribed in article 2, before proceeding judicially against the violator of this regulation.

ART. 4. In case an article of food or drugs prove to be adulterated or misbranded, the director of the chemical laboratory shall notify the interested persons, within a period of 30 days, stating the nature of the infraction, naming day and hour for him to appear personally, or by some duly authorized person, before said public official, to state the reasons he may have to show that the analysis or the conclusions derived from it, are mistaken or incorrect: it being understood that if the interested person does not appear on the date named, the director of the laboratory shall proceed, with the proof he has to denounce the case before the court. The allegation made before the director of the laboratory shall only and exclusively treat upon facts.

ART. 5. Any person, firm, syndicate, corporation or any institution of whatever character it may be that gives in writing its consent to the destruction of any article of damaged food or drugs or to changes in the wording of the label, or of the printed literature that goes with any article of food or drugs shall not be prosecuted, unless he fail to carry out what he agreed to in writing. Nor shall the person be prosecuted who presents a guaranty from the maker or imported [importer?] to the effect that the article is pure and lawfully branded.

ART. 6. When any article of food or drugs shall be found to be adulterated with inoffensive substances, or to be misbranded, or in a state of adulteration, decomposition or putrefaction or contaminated with outside substances and the owner of said product will not consent to the destruction or denaturalization of the same, for industrial purposes, or to modify the labels or the wording of the literature of the same, the service of sanitation shall proceed to the prosecution of said person according to the evidence.

ART. 7. If any article of food or drugs is unfit for consumption, because by judgment of the inspector, it be changed, decomposed or contaminated with outside substances, the inspector may temporarily suspend the sale of this article, leaving the parcel or lot duly sealed and in the custody and under the responsibility of the interested person. In this case he shall write a duplicated report of the articles and the state in which they are, which shall be signed by the interested person and the inspector; each one shall keep one of these copies. The suspension of sale shall not be raised until the laboratory report in writing on this "provisional seizure." The phrase "provisional seizure" shall be written on the outside of samples taken in these cases. The laboratory shall give preference to these investigations and render its report in the shortest time possible. If any merchant should sell or dispose in any way of any confiscated article, as is defined in this section, he shall be prosecuted according to law.

ART. 8. When an article of food or drugs be changed, decomposed or in a state of putrefaction, contaminated with outside substances or be misbranded, the inspector shall take a sample, as is prescribed in article 3. The inspector may in this case, with the concurrence of the merchant, who shall give his consent in writing, confiscate and destroy, either by denaturalization or by other means, the foods and drugs that may be found in that state, as also he may modify the wording of their labels and the printed literature that goes with them. In case the merchant does not consent to the action taken by the inspector, he shall present a protest to the director of sanitation.

When the articles are decomposed or decayed, they shall constitute "prima facie evidence" of the violation of this regulation and the inspector may proceed according to law against the merchant if he should sell or expose for sale, or transport or store said articles.

ART. 9. When a guaranty exists such as is indicated in article 5, and is signed by any person, firm, syndicate, corporation or institution of whatever character, in the island of Porto Rico, the guarantor shall be proceeded against; and if he reside

outside of the jurisdiction of the courts of Porto Rico, the director of sanitation shall collect the data at his disposition and remit it to the department of agriculture through the Federal chemical laboratory of San Juan.

ART. 10. The department of sanitation shall publish, either in the daily press or by means thought more fit, the decisions and penalties imposed by the courts for the infractions of this regulation.

ART. 11. This regulation shall be put in force 30 days after having been promulgated by the governor of Porto Rico, in accordance with the dispositions of the law of sanitation.

ART. 12. Any person who shall infringe any of the dispositions contained in this regulation shall be punished with a fine of not less than \$1 nor more than \$100, or with prison [sic] from 1 to 30 days, or with both penalties at the discretion of the court.

Dispensaries Required in Certain Factories—First Aid. (Act 41, Nov. 30, 1917.)

SECTION 1. Every owner of a sugar factory, factory, workshop, electric or hydraulic plant, or building plant operating power-driven machinery outside of the urban zone, whose employees shall exceed 50 in number, are [is] hereby obligated to provide a dispensary with a sufficient stock of medicines adequate for cases of accident.

SEC. 2. The dispensary referred to in section 1 hereof shall be established in a proper room with sanitary conditions and of sufficient light and supplied with water, telephone, operating table, and other appurtenances thereunto belonging, so that it may be used for giving first aid in cases of accidents: *Provided*, That in any accident occurring in the places mentioned in section 1 hereof the physician or minor surgeon shall be furnished with such supplies as it may be necessary to use.

SEC. 3. It shall be the duty of every owner of a sugar factory, factory, workshop, electric, hydraulic, or building plant operating power-driven machinery, whose employees shall exceed 50 in number, to contract for the services of a physician and a minor surgeon or a nurse for the care of traumatic accidents occurring during the year.

SEC. 4. Minor surgeons under contract by virtue hereof shall be duly licensed to practice their profession and shall be provided with such instruments as may be indispensable.

SEC. 5. The commissioner of health shall be in charge of the enforcement of this act and shall visit and inspect said dispensaries either personally or through his inspectors or other employees, to satisfy himself that said dispensaries are properly supplied with all the material necessary for the purposes for which they are intended.

SEC. 6. Any violation of this act shall be punished by fine not to exceed \$500 or by imprisonment in jail for not to exceed 6 months.

Tobacco Factories—Sanitary Regulation—Employees Must Furnish Certificates of Health. (Proclamation June 5, 1917.)

ARTICLE 1. The owners, managers, administrators or agents of any factory in which tobacco is used or handled, before admitting any operative to work, shall verify by means of a medical certificate the state of health of said employee and shall not admit in the factory any operative or employee suffering from acute venereal diseases, syphilis of the skin, open tuberculosis, diphtheria, skin and scaling diseases, leprosy or any other transmissible disease that may leave contagious germs upon the object handled or on the persons who go to the factory. The examination of the state of health shall be held at the time and place appointed by the commissioner of health and shall be conducted by the physicians of the service, for which they shall receive no remuneration. All regulations, ordinances and dispositions relating to the certificate of health shall be in force, until new certificates are issued.

ART. 2. Henceforth, from the date of the promulgation of this regulation, no factory of cigars, cigarettes, plug, snuff, rolled or chewing tobacco, etc., shall be established

in Porto Rico unless under the conditions herein prescribed. Factories already established at the promulgation of this regulation shall adapt themselves to the disposition of the same within a maximum period of 5 years, in gradual order as may be necessary for sanitary requirements as the commissioner of health shall order from time to time: *Provided*, That the provisions of this regulation shall be applicable to all buildings or parts of buildings occupied by the factory already established in accordance with the dispositions in force at the promulgation of this regulation. None of these dispositions shall be applicable to those factories employing less than 10 operatives.

ART. 3. The workshops or factories shall consist of as many departments independent one from the other as the series of treatments to which the tobacco leaf is to be subjected. Each department shall contain as many windows as shall be necessary for perfect lighting, easily shut and opened to secure proper ventilation, without causing strong draughts.

ART. 4. The height between the floor and ceiling of each department shall in no case be less than $3\frac{1}{2}$ meters, except only when a small number of operatives are employed or where they work only from time to time. This height may be reduced to 3 meters if the ventilation of the place is according to plans approved by the sanitary authorities. The floors in no case shall be more than 30 centimeters below the level of the street, unless proper steps are taken for the necessary ventilation according to plans approved by said sanitary authorities.

ART. 5. Each workshop shall contain at least 8 cubic meters of air to every operative working in said shop. In factories already established, the ventilation, lighting and other conditions being satisfactory, especially that of cleanliness, the commissioner of health may reduce the air space required to 7 cubic meters to each operative working in said space: *Provided*, That nothing herein contained shall be interpreted as authorizing a violation of act 42 of 1913.

ART. 6. Smoking shall be prohibited in the workshops during working hours.

ART. 7. Twice a day, for at least half an hour at a time, before beginning work, or at the midday rest, or after work, the workshops shall be ventilated by opening all the windows. During such times no operative shall remain within the shop.

ART. 8. No spitting shall be allowed in any gallery, vestibule, passage, stairway, latrine or any building attached to a workshop, excepting in spittoons placed for this purpose, sufficient in number, and which shall be washed and disinfected daily.

ART. 9. When the walls and ceiling are not smooth enough to be cleaned by the use of hose, or when not painted with oil paint, they shall be whitewashed at least once a year. Those painted with oil paint shall be revarnished every two years. The floors shall be constructed of materials approved by the commissioner of health. There shall be no cracks in walls or floors and they shall be kept in good repair.

ART. 10. Every afternoon after working hours the floors of the workshops shall be sprinkled and swept. This shall never be done during working hours, and every two weeks the floors as well as the windows shall be carefully scrubbed. At least twice a year the ceiling and walls shall be thoroughly scrubbed. Sweeping without sprinkling is prohibited.

ART. 11. Every operative shall wear a suitable blouse, large enough and adapted to the climate and his work. These blouses shall be kept in a suitable closet, to be provided by the employer at the factory.

ART. 12. There shall be a sufficient number of convenient wash basins in each workshop. When the water is not constantly removed there shall at least be a basin for every five operatives; pure water shall be provided in abundance and a proper method for disposing of the dirty water. Paper towels shall be hung near the basins. The operatives shall wash their hands and faces before beginning work.

ART. 13. In the places where "stripping" is done the highest conditions of lighting and ventilation shall prevail in the old as well as the new workshops.

ART. 14. In no workshop shall the operatives work in front of each other, but shall be placed side by side, $2\frac{1}{2}$ meters apart. The teeth shall not be used for cutting off the tobacco after forming the cigars. Each table shall be provided with a mechanical apparatus for holding gum, or a tin box divided in the center, with a place on one side for a washable metal jar such as is commonly used. Said gum is to be used exclusively for sealing wrappers; the use of saliva is strictly prohibited: *Provided, however,* That the provision in respect to the placing of operatives shall take effect 90 days after promulgation.

ART. 15. The privies of the factories shall be kept perfectly clean, well ventilated and in perfect running order. One shall be provided for every 50 operatives. The sexes shall be separated.

ART. 16. The storing and drying of tobacco of the inside wrappers of cigars, as well as the mixture and sifting of the same shall take place in different departments, designed for this sole purpose. If there are doors between those departments they must remain closed. In the corridors and other departments for working and sorting tobacco, only such an amount of filling and inside wrappers shall be kept as is considered necessary for use during the day. The sifting of tobacco shall not be done in closed receptacles. The boilers used for preparing the mixture for chewing tobacco shall be provided with evaporating tubes. No person less than 14 years of age shall be employed in the work of preparing smoking and chewing tobacco.

ART. 17. When gas or other combustibles that vitiate the air are used in the motors of tobacco factories, they should be installed in separated and well-ventilated places. The mills used for grinding tobacco that is to be made into powder shall consist of an apparatus that will prevent the dust from flying about the workshop.

ART. 18. A copy of this regulation, as well as the number of operatives permitted in each department and the cubic space allotted to each, shall be posted in such place as may be easily read by said operatives.

ART. 19. Every infraction of any of the provisions of these regulations shall be punished in accordance with the provisions of section 33 of "An act to reorganize the service of sanitation," approved March 14, 1912.

Embalming and Disinfection—Licenses—Regulation. (Proclamation May 10, 1917.)

ARTICLE 1. No person, society or corporation shall undertake the operation of embalming or disinfection, without having obtained a license issued by the commissioner of sanitation: *Provided,* That those who were authorized by any former board of health are not subject to this disposition.

ART. 2. The operations of embalming or disinfection shall only be performed by practicing physicians, or persons whose knowledge of the practice of said operations is duly accredited, according to what is furthermore directed.

ART. 3. The commissioner of sanitation is authorized to appoint an examining board for embalmers and disinfectors composed of the head of the department of transmissible diseases and two physicians, members of the sanitary service. The members of this board shall be appointed annually by said commissioner and shall receive no remuneration for this service. It shall be the duty of this board to examine all those persons who desire to obtain a license for embalming and disinfecting and shall report the result to the commissioner of sanitation, who shall issue a certificate to those who have been examined and approved by the board.

The board shall prepare a regulation and program in which it shall be decided the grade of instruction that must be possessed by the applicants, the matters on which they shall be examined, the duration of the examinations and the place, date and hour in which they shall take place each year.

ART. 4. Those persons who desire to obtain licenses shall be more than 21 years of age and shall fulfill the requirements called for in the application blanks by the examining board.

ART. 5. Embalmers and disinfectors who present licenses issued in the United States by sanitary official organizations of any municipality or State, may practice the profession after a confirmatory examination. This requirement may be omitted at the discretion of examining board, in the case of a person of well-known competence.

ART. 6. Five dollars shall be paid for every embalmer's and disinfectors certificate issued by the commissioner of sanitation in accordance with article 3 of this regulation, which amount shall be entered as license fees, according to disposition 5 of the present sanitary law.

ART. 7. Before undertaking an embalment or disinfection, a permit from the officer of sanitation is indispensable, for which it is necessary—

(a) In case of embalment, a declaration in which it is stated the process and materials to be employed, the place and hour of the operation, accompanied by the death certificate in which it is testified that death was natural. It being understood, in regard to this regulation, that natural death is that produced by some disease or by any accident in which judicial intervention is not called for: *Provided*, That in the latter case the judicial functionary in charge of the investigation shall authorize the embalment at the proper time.

(b) In cases of disinfection shall be stated the cause that makes it necessary, the process to be employed and the materials, objects and places which are to be disinfected.

ART. 8. The commissioner of sanitation is authorized to cancel the license of any embalmer, disinfectors or person when it shall be duly proved that he uses incorrect processes in the practice of these professions.

ART. 9. All persons that infringe any of the dispositions contained in this regulation shall be punished with a fine of not less than \$1 or more than \$100 or with imprisonment from 1 to 30 days, or with both penalties, at the discretion of the court.

RHODE ISLAND.

Pulmonary and Laryngeal Tuberculosis—Prevention and Suppression. Communicable Diseases—Quarantine—Disinfection. (Ch. 1520, Act Apr. 19, 1917.)

SECTION 1. Section 35 of chapter 110 of the general laws, entitled "Of regulations for the prevention of infectious and contagious diseases," as amended by chapter 939¹ of the public laws, passed at the January session, A. D. 1913, is hereby amended to read as follows:

SEC. 35. All rights, powers and duties conferred or imposed by the provisions of this chapter upon town councils, the health officers of towns and cities, the State board of health, and physicians in relation to the prevention and suppression of contagious or infectious diseases or distemper, shall apply, extend and relate to all cases of laryngeal or pulmonary tuberculosis, in addition to the diseases and distempers specifically described in this chapter. The term suitable quarantine shall be considered as meaning the isolation of the person or persons having the disease or distemper, and of such other persons as may by contact or association with the affected person become, in the judgment of the State board of health, carriers of contagion, the period of time, the manner of such isolation and the method of cleansing and disinfection shall be in accordance with the rules and regulations made from time to time by said board: *Provided*, That nothing in this section contained shall be construed to limit or restrict the rights, powers and duties conferred or imposed upon town councils, and the health officers of towns and cities by the other provisions of this chapter.

School Children—Notification of Dental Defects or Conditions Arising Therefrom—Treatment. (Ch. 1484, Act Apr. 14, 1917.)

SECTION 1. In towns providing medical inspection for schools the school physician or other person employed by or under the authority of the school committee to make an examination of the health of school children shall report to the superintendent of schools dental defects or conditions arising therefrom found by him, with the names of the children affected. The superintendent of schools shall make provision for preserving the records of health examinations of school children, and for notifying parents or custodians of children of conditions requiring professional or skilled treatment. The commissioner of public schools shall furnish to superintendents of schools such blank forms and record books as he shall deem necessary for the purposes of this act.

SEC. 2. The school committee may provide at the expense of the town proper dental treatment for children found to be suffering from dental defects or conditions arising therefrom whose parents or guardians or custodians neglect to provide proper dental treatment within one month after receiving a notice of the need thereof as required by section 1 of this act.

SEC. 3. This act shall be in effect on and after September 1, 1917.

School Children—Physical Training—Appropriation. (Ch. 1541, Act Apr. 19, 1917.)

SECTION 1. All children above the age of 8 years, attending public schools or such other schools as are managed and controlled by the State shall receive therein instruction and practice in physical training under such regulations as the State board of

¹ Pub. Health Repts. Reprint 264, p. 426.

education may prescribe or approve during periods which shall average at least 20 minutes in each school day. No private school or private instruction shall be approved by any school committee for the purposes by chapter 72 of the general laws as substantially equivalent to that required by law of a child attending a public school in the same city and town unless instruction and practice in physical trainings similar to that required in public schools shall be given.

SEC. 2. For the purpose of preparing and introducing such course of instruction the sum of \$500 or so much thereof as many be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated for expenditure by the State board of education during the fiscal year ending on December 31, 1917; and the State auditor is hereby directed to draw his orders on the general treasurer for the payment of said sum, or so much thereof as may be required, on vouchers approved by said State board of education.

SEC. 3. This act shall take effect on and after July 1, 1917.

State Board of Health—Meetings—Compensation and Traveling Expenses of Members. (Ch. 1479, Act Apr. 12, 1917.)

SECTION 1. Section 4 of chapter 115 of the general laws, entitled "Of the State board of health," as amended by chapter 1267² of the public laws, passed at the January session, A. D. 1915, is hereby further amended so as to read as follows:

SEC. 4. The board shall meet in the city of Providence once in three months and as much oftener as they may deem necessary. The members of the board, except the secretary, shall receive as compensation for their services the sum of \$10, respectively, for attendance at each meeting, or for conducting an examination, but no compensation shall be given for meetings oftener than once a month. The travelling expenses of any member, while engaged in the duties of the board, shall be paid by the State. And the general assembly shall annually appropriate such sum as may in their opinion be necessary and sufficient for the purposes of this section; and the State auditor is hereby authorized and directed to draw his orders upon the general treasurer for the payment to the members of the State board of health for attendance at meetings or the conducting of examinations in accordance with the provisions of this section, upon certification to him by the president of the State board of health.

Foods and Drugs—Manufacture or Sale of Adulterated or Misbranded, Prohibited. (Ch. 1489, Act Apr. 14, 1917.)

SECTION 1. Section 1 of chapter 183 of the general laws, entitled "Of the maintenance of purity in foods and drugs, by prohibiting the manufacture or sale of adulterated, misbranded or deleterious foods or drugs," is hereby amended so as to read as follows:

SECTION 1. It shall be unlawful for any person, firm or corporation, as principal, or by a servant, or agent, to manufacture, sell, or offer for sale within this State, any drug or article of food which is adulterated or misbranded within the meaning of this chapter, and any person, firm or corporation, as principal or by a servant, or agent, violating any of the provisions of this chapter shall be guilty of misdemeanor, and shall, upon conviction, be punished for the first offence by a fine not exceeding \$50, for the second offence by a fine not exceeding \$100, and for the third and each subsequent offence by a fine of not exceeding \$200, or imprisonment for one year: *Provided*, That no article shall be deemed misbranded or adulterated within the provisions of this chapter when intended for export to any foreign country and prepared or packed according to the specifications or directions of the foreign purchaser, when no substance is used in the preparation or packing thereof in conflict with the

² Pub. Health Repts. Reprint 338, p. 496.

laws of the foreign country to which said article is intended to be shipped; but if such article shall be in fact sold or offered for sale for domestic use or consumption, then this proviso shall not exempt said article from the operation of any of the other provisions of this chapter.

Manufacturing and Mercantile Establishments—Water-Closets and Privies—Dressing Rooms and Seats for Females. (Ch. 1522, Act Apr. 19, 1917.)

SECTION 1. Section 8 of chapter 78 of the general laws, entitled "Of factory inspection," is hereby amended so as to read as follows:

SEC. 8. In any city, town or district wherein there is a public water service, the owner, agent or lessee of any factory, manufacturing or mercantile establishment employing 25 persons or less located on, adjacent, or in close proximity to, any highway, street, road or path in which are laid public water mains, shall equip said factory, manufacturing or mercantile establishment with at least one effectively trapped and ventilated water-closet for the use of the employees: *Provided, however,* That if the employees are of different sex, then and in such case, there shall be at least two effectively trapped and ventilated water-closets, one for male and one for female employees separately located, with separate entrances, properly designated and so built as to ensure privacy.

The owner, agent, or lessee of any factory, manufacturing or mercantile establishment, employing more than 25 persons, shall equip said factory, manufacturing or mercantile establishment with one effectively trapped and ventilated water-closet, for every 40 employees or fraction thereof exceeding one-half: *Provided, however,* That if the employees are of different sex then there shall be separate water-closets for the different sexes with separate entrances properly designated and so built as to ensure privacy.

Water-closets, earth closets, or privies shall be provided in all other places where women and children are employed, in such manner as shall, in the judgment of said inspectors, meet the demands of health and propriety.

Separate dressing rooms for women and girls shall be provided in all establishments where such are deemed a necessity by said factory inspectors; and in every manufacturing, mechanical or mercantile establishment in which women or girls are employed, there shall be provided, conveniently located, seats for such women and girls, and they shall be permitted to use them when their duties do not require their standing.

SEC. 2. This act shall take effect January 1, 1918.

SOUTH CAROLINA.

Hotels, Restaurants, Cafes, Lunch Counters, and Markets—Licensing, Inspection, and Regulation. (Act 17, Feb. 27, 1917.)

SECTION 1. *Municipalities may regulate hotels, cafes, etc.; proviso.*—That full power and authority is hereby given to and vested in all towns and cities in this State to provide by ordinances such rules and regulations regarding the conduct and operation of markets, hotels, restaurants, cafes and lunch counters therein, so as to provide for the public health, comfort and convenience; and when such rules and regulations have been established to provide by ordinance for the punishment of all offenders against the same, within the limits now provided by law: *Provided*, That should there be a board of health in such town or city, its approval shall first be obtained.

SEC. 2. *Inspection; penalty for obstruction of same.*—All such towns and cities may, by ordinance, provide for the inspection of all such places by some competent person appointed by the mayor or intendant, and all persons, firms, or corporations conducting or operating such places, shall at all times permit and allow inspections to be made of their premises by such inspectors, and any person, firm or corporation who shall refuse to allow such inspection, or who shall obstruct any officer whose duty it is to make such inspection, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be subject to such penalties as such towns or cities may impose by ordinance, not exceeding a fine of \$100, or imprisonment not exceeding 30 days.

SEC. 3. *Ordinances to be obeyed; revocation of licenses.*—That all persons, firms and corporations within the meaning of this act shall carry out and obey all ordinances passed or enacted by any town or city, and upon neglect or refusal to comply therewith, shall be subject to the penalties herein provided: *Provided*, That such towns and cities shall have the power to deny or to revoke any and all licenses granted to conduct such business when, in the judgment of the mayor or intendant, such ordinances are not complied with.

Births and Deaths—Registration—Fees of Local Registrars. (Act 167, Mar. 1, 1917.)

SECTION 1. *Compensation of registrar of vital statistics reduced in certain cities.*—That section 4 of an act¹ approved the first day of September, 1914, entitled "An act to provide for the registration of all births and deaths in the State of South Carolina," be, and the same is hereby, amended by adding the following proviso at the end of section 4: "*Provided*, In cities of over 50,000 inhabitants, that each local registrar shall be paid 10 cents," so that said section, when so amended, shall read as follows:

SEC. 4. That each local registrar shall be paid the sum of 25 cents for each birth certificate properly and completely made out and registered with him, correctly recorded and promptly returned by him to the State registrar, as required by the rules and regulations. And in case no births or no deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 25 cents for each report to that effect, but only if promptly made in accordance with the rules and regulations. All amounts payable to the registrar under the provisions of this section shall be paid by the treasurer of the county in which the registration district is located, upon certification by the State registrar. And the State registrar shall annually certify to the treasurers of the several counties the number of births and deaths properly registered, with the names of the local registrars, and the amount due each at the rates fixed therein: *Provided*, That in cities of over 50,000 inhabitants, that each local registrar shall be paid 10 cents.

¹Pub. Health Repts. Reprint 279, p. 165.

SOUTH DAKOTA.

State Board of Health and Medical Examiners—Appointment—Powers—Regulations. (Ch. 353, Act Feb. 20, 1917.)

SECTION 1. That section 2 of chapter 109,¹ of the session laws of 1913, be and the same is hereby amended to read as follows:

SEC. 2. Immediately after the taking effect of this amendment, the governor shall appoint five skilled and capable physicians who shall constitute the State board of health and medical examiners, one of whom shall be appointed for the term ending July 1, 1918, one for the term ending July 1, 1919, one for the term ending July 1, 1920, one for the term ending July 1, 1921, and one for the term ending July 1, 1922, and thereafter on or about the first day of July in each year the governor shall appoint a member of said board to succeed the member whose term of office then expires, and such appointment shall in each instance be for a term of 5 years.

SEC. 2. That section 4 of chapter 109, of the session laws of 1913, be and the same is hereby amended to read as follows:

SEC. 4. The said board shall hold quarterly meetings in each year, two of which shall be at the State capitol, and other meetings at such times and places as the superintendent of said board shall designate, and shall have power as follows:

(1) To exercise general supervision over all health officers and boards, to take any active measures for the prevention and eradication of contagious or communicable diseases among people of the State, investigate sanitary conditions, learn the cause and source of disease and epidemics, observe the effect upon human health of localities and employments, and gather and diffuse proper information upon all subjects to which its duties relate; to gather, collate, and publish medical and vital statistics of general value, and advise all State officials and boards in hygiene and medical matters, especially those involved in the proper location, construction, sewerage, and administration of prisons, hospitals, asylums, and other public institutions.

(2) To adopt, alter, and enforce reasonable regulations of permanent application throughout the whole or any portion of the State, or for specified periods in parts thereof, for the preservation of public health. Upon the approval of the attorney general and the due publication thereof, such regulations shall have the force of law, except in so far as they may conflict with a statute or with the charter or ordinances of a city of the first class upon the subject, and in and by the same the board may control, by requiring the taking out of licenses and permits, or by other appropriate means, any of the following matters:

(a) The manufacture into articles of commerce, other than food, of diseased, tainted or decayed animal or vegetable matter.

(b) The business of scavengering and the disposal of sewage.

(c) The location of mortuaries and cemeteries and the removal and burial of the dead.

(d) The management of lying-in houses and boarding places for infants, and the treatment of infants therein.

(e) The pollution of streams and other waters and the distribution of water by private persons for drinking or domestic use.

(f) The construction and equipment, in respect to sanitary conditions, of schools, hospitals, almshouses, prisons, and other public institutions.

¹ Pub. Health Repts. Reprint 264, p. 432.

(g) The treatment in hospitals and elsewhere of persons suffering from communicable diseases, the disinfection and quarantine of persons and places in case of such disease, and reporting of sickness and deaths therefrom.

(h) The accumulation of filthy and unwholesome matter to the injury of the public health, and the removal thereof.

(i) To require the superintendent of vital statistics to furnish all information that he may have, regarding vital statistics.

(j) The supervision of slaughterhouses.

(k) The distribution by the State board of health of biological products to members of the county boards of health, which products shall be used for the cure and prevention of diphtheria and other communicable diseases.

(l) To license the [and?] regulate the practice of medicine and surgery within the State of South Dakota, and to make all rules and regulations which may be necessary or expedient to that end.

SEC. 3. That section 5 of chapter 109, of the session laws of 1913, be and the same is hereby amended to read as follows:

SEC. 5. *Publication; penalties.*—Such regulations, if of general application throughout the State, shall be published in a daily newspaper of general circulation in the State, once each week for three consecutive weeks; if of local application only, as near such locality as practicable; which publication shall be made in an official newspaper of the county where such publication is made. Special rules applicable to particular cases shall be sufficiently noticed when posted. Every person violating any such regulations, or any lawful direction of a board of health or officer, shall be guilty of a misdemeanor. Fines collected shall be paid into the State treasury, and credited to the perpetual school fund. Copies of such regulations when certified by the superintendent of said board shall be admissible in evidence without further proof.

* * * * *

Mental Defectives—Sterilization. (Ch. 236, Act Mar. 8, 1917.)

SECTION 1. *Sterilization of defectives.*—It shall be the duty of the superintendent of the State home for feeble-minded persons to examine into the mental and physical condition, the records and family history of the inmates of said institution with a view of determining whether it is improper or inadvisable to allow any such inmates to procreate, and to make an annual report of said examinations to the State board of charities and corrections.

SEC. 2. *Duty of board.*—That it shall be the duty of said board with the superintendent of said institution to carefully examine the record of each inmate and to determine whether it is improper or inadvisable to allow any such inmates to procreate, and if a majority of them, including such superintendent, decide that procreation by any of said inmates would produce children with a tendency to disease, feeble-mindedness, idiocy or imbecility, or, if the mental condition of any such inmate will probably be materially improved thereby, then the physician of the institution or one selected by him, shall perform the operation of vasectomy or ligation of the Fallopian tubes as the case may be, upon such person.

SEC. 3. *Record.*—The superintendent of the home for feeble-minded shall keep a record of all inmates operated on with statistics and notes of observation regarding its benefits, and make an annual report to the governor of all inmates operated on, with the recorded results of said operation.

TENNESSEE.

County and District Tuberculosis Hospitals—Establishment, Maintenance, and Regulation—Admission and Maintenance of Patients. (Ch. 121, Act Apr. 7, 1917.)

SECTION 1. That the county quarterly court of any county shall have the power to establish a county hospital for the care and treatment of persons suffering with the disease known as tuberculosis.

When said county quarterly court shall have voted to establish such hospital it shall have the following powers:

To purchase and lease real property therefor, or acquire such real property and easements therein, by condemnation proceedings in the manner prescribed by law.

To erect all necessary buildings, make all necessary improvements and repairs and alter any existing buildings for use of said hospitals: *Provided*, That the plans for such erection, alteration or repairs shall first be approved by the State Board of Health of Tennessee.

To cause to be assessed, levied and collected such sums of money, by taxation of real and personal property, as it shall deem necessary for suitable lands, buildings and improvements for said hospitals, and for the maintenance thereof, and for all other necessary expenditures therefor; and to borrow money for the erection of such hospitals and for the purchase of a site therefor, on the credit of the county and to issue county obligations therefor in the forms of interest bearing, negotiable time warrants or bonds.

To appoint boards of managers for said hospitals as herein provided.

To accept and hold in trust for the county any grant or devise of land, any gift or bequest of money or other personal property, or any donation to be applied, principal or income, or both, to the benefit of said hospital and apply the same in accordance with the terms of the gift.

SEC. 2. That when the county quarterly court shall have determined to establish a hospital for the care and treatment of persons suffering with tuberculosis, and shall have acquired a site therefor and shall have awarded contracts for the necessary buildings and improvements thereon, it shall appoint five citizens of the county, of whom at least one shall be a practicing physician, who shall constitute a board of managers of said hospital. The term of office of each member of said board shall be 5 years and the term of one such member shall expire annually. The first appointment shall be made for the respective terms of 5, 4, 3, 2, and 1 years. Appointments of successors shall be for the full term of 5 years, except that the appointment of persons to fill vacancies, occurring by death, resignation or other causes, shall be made for the unexpired term. The failure of any manager to attend three consecutive meetings of the board shall cause a vacancy in his office, unless said absence is excused by the formal action of the board of managers. The managers shall receive no compensation for their services, but shall be allowed their actual and necessary travel and other expenses by the county quarterly court. Any manager, may, at any time, be removed from office by the county quarterly court of the county for cause, after an opportunity to be heard.

SEC. 3. That the board of managers shall elect from among its members a president and one or more vice presidents, and shall designate one of its members to act as secretary and treasurer. It shall appoint a superintendent of the hospital who shall hold office at the pleasure of the board. The said superintendent shall not be a member of the board of managers, but shall be a qualified practitioner of medicine or registered nurse or other person trained for work of said character.

The board of managers shall fix the salaries of the superintendent and other officers and employees within the limits of the appropriation made therefor by the county quarterly court, and such salary shall be compensation in full for the services ren-

dered. The board of managers shall determine the amount of the time to be spent at the hospital by said superintendent in the discharge of his duties; shall have the general superintendence, management and control of said hospital grounds, buildings, officers and employees thereof, of the inmates therein and of all matters relating to the government, discipline, contracts and fiscal concerns thereof; and make such rules and regulations as may seem to them necessary for the carrying out of the purpose of such hospital. They shall maintain an active inspection of said hospital and keep itself informed of the affairs and management thereof; shall meet at the hospital at least once every month; and at such other times as may be prescribed by the by-laws; and shall hold its annual meeting at least three weeks prior to the meeting of the county quarterly court at which appropriations for the ensuing year are to be considered.

Shall keep in a book, provided for that purpose, a proper record of its proceedings, which shall be open at all times to the inspection of its members, to the members of the county quarterly court and to the duly authorized representatives of the State Board of Health of Tennessee.

Shall certify all bills and accounts, including salaries and wages, and transmit them to the county quarterly court of the county who shall provide for their payment in the same manner as other charges against the county are paid.

Shall make to the county quarterly court, annually, at such times as the said county quarterly court shall direct, a detailed report of the operations of the hospital during the year, the number of patients received, the methods and results of their treatment, together with suitable recommendations and such other matter as may be required of them and full detailed estimates of the appropriations required during the ensuing years [sic] for all purposes, including maintenance, the erection of buildings, repairs, renewals, extensions, improvements, betterments or other necessary purposes.

SEC. 4. That the superintendent shall be the chief executive officer of the hospital and subject to the by-laws, rules and regulations thereof, and to the powers and control of the board of managers.

Shall with the consent of the board of managers, equip the hospital with all necessary furniture, appliances, fixtures, and other needed facilities for the care and treatment of patients, and for the use of the officers and employees thereof and shall purchase all necessary supplies.

Shall have general supervision and control of the records, accounts and buildings of the hospital, and all internal affairs, and maintain discipline therein, and enforce compliance with an [and] obedience to all rules, by-laws and regulations adopted by the board of managers for the government, discipline and management of said hospital, and the employees and inmates thereof. He shall make such further rules, regulations and orders as he may deem necessary, not inconsistent with law, or with the regulations and direction of the board of managers.

Shall with the consent of the board of managers appoint such resident officers and such employees as he may think proper and necessary for the efficient performance of the business of the hospital and prescribe their duties, and for cause stated in writing, after an opportunity to be heard, discharge any such officer or employee at his discretion.

Shall cause proper accounts and records of the business and operations of the hospital to be kept regularly from day to day in the books and on records provided for that purpose, and see that such records and accounts are correctly made up for the annual report to the county quarterly court, as required by section 3 of this act, and present the same to the board of managers, who shall incorporate them in their report to the said county quarterly court.

Shall receive into the hospital, under the general direction of the board of managers, in the order of application, any person found to be suffering with tuberculosis in any form, who has been an actual resident and inhabitant of the county for a period of at

least 1 year prior to his application for admission to said hospital. Said superintendent shall cause to be kept proper accounts and records of the admission of all patients, their names, age, sex, color, marital condition, residence, occupation and place of past employment.

Shall cause a careful examination to be made of the physical condition of all persons admitted to the hospital and provide for the treatment of each such patient according to his need, and shall cause a record to be kept of the condition of each patient when admitted and from time to time thereafter.

Shall temporarily discharge from said hospital any patient who shall wilfully or habitually violate the rules thereof, or who is found not to have tuberculosis, or who is found to have recovered therefrom, or who, for any reason is no longer a suitable patient for treatment therein, and shall make a full report thereof at the next meeting of the board of managers, who shall make such final disposition of the case as they may think proper.

Shall collect and receive all money due the hospital, keep an account of the same, report the same at the monthly meeting of the board of managers, and transmit the same to the county trustee within 10 days after such meeting.

Shall before entering upon the discharge of his duties give a bond in such sum as the board of managers may determine to secure the faithful performance of such duties.

SEC. 5. That any resident of the county in which the hospital is situated desiring treatment in such hospital may apply in person to the superintendent or to any reputable physician for examination, and such physician, if he finds that said person is suffering with tuberculosis in any form, may apply to the superintendent of the hospital for his admission. Blank forms for such applications shall be provided by the hospital, and shall be forwarded by the superintendent thereof gratuitously to any reputable physician in the county upon request. So far as practicable, applications for admission to the hospital shall be made upon such forms. The superintendent of the hospital, upon receipt of such application, if it appears therefrom that the patient is suffering with tuberculosis and if there be a vacancy in said hospital, shall notify the person named in such application to appear at the hospital. If upon personal examination of such patient, or of any patient applying in person for admission, the superintendent and board of managers are satisfied that such person is suffering with tuberculosis, he shall admit him to the hospital as a patient. All such applications shall state whether, in the judgment of the physician the person is able to pay in whole or in part for his care and treatment while at the hospital and every application shall be filed and recorded in a book kept for the purpose in the order of their receipt. When said hospital is completed and ready for the treatment of patients, or whenever thereafter there are vacancies therein, admission to said hospital shall be made in the order in which the names of the applicants shall appear upon the application book to be kept as above provided, in so far as such applicants are certified by the superintendent to be suffering with tuberculosis. No discrimination shall be made in the accommodation, care or treatment of any patient because of the fact that the patient or his relatives contribute to the cost of his maintenance in whole or in part, and no patient shall be permitted to pay for his maintenance in such hospital a greater sum than the average per capita cost of maintenance therein, including a reasonable allowance for the interest on the cost of the hospital, and no officer or employee of such hospital shall accept from any patient thereof any fee, payment or gratuity whatsoever for his services.

SEC. 6. That whenever a patient has been admitted to said hospital from the county in which the hospital is situated the superintendent shall cause inquiry to be made as to his circumstances, and of the relatives of such patient legally liable for his support. If he finds that such patient, or said relatives are liable [able?] to pay for his care and treatment in whole or in part, an order shall be made directing such patient, or said relatives, to pay to the treasurer of such hospital for the sup-

port of said patient a specified sum per week, in proportion to their financial ability, but such sum not to exceed the actual per capita tax of maintenance. The superintendent shall have power and authority to collect such sum from the estate of the patient or his relatives legally liable for his support, and may institute and maintain an action for the recovery thereof in the name of the county. If the superintendent finds that such patient or said relatives are not able to pay either in whole or in part for his care and treatment in such hospital the same shall become a charge upon the county. Should there be any dispute as to the ability to pay or doubt in the mind of the superintendent, the judge of the county court may hear and determine same after calling witnesses, and make such order as may be proper.

SEC. 7. That the resident officer of the hospital shall admit the managers into every part of the hospital and the premises and give them access, on demand, to all books, papers, accounts and records pertaining to the hospital and shall furnish copies, abstracts and reports whenever required of them. All hospitals established or maintained under the provisions of this act, shall be subject to inspection by any duly authorized representative of the State Board of Health of Tennessee and of any committee of the county quarterly court of the county, and the resident officer shall admit such representatives into every part of the hospital and its buildings and give them access, on demand, to all records, reports, books, papers and accounts pertaining to the hospital.

SEC. 8. That whenever a hospital for the care and treatment of persons suffering with tuberculosis exists in connection with or on the grounds of the county almshouse, the county quarterly court shall appoint a board of managers for such hospital and such hospital and its board of managers, shall thereafter be subject to all the provisions of this act in like manner as if it had been originally established hereunder. Any hospital, which may hereafter be established, by any county quarterly court, shall in like manner, be subject to the provisions of such section.

SEC. 9. That when deemed advisable by the county quarterly court and approved by the State Board of Health of Tennessee, a county may maintain more than one county tuberculosis hospital for the purpose aforesaid.

SEC. 10. That where found to be more practical, and when approved by the State Board of Health of Tennessee, two or more counties may join for the purposes of this act, and erect one or more hospitals for the joint use under the terms and conditions above set forth for a single county.

In such case such combined counties have the same powers and be subject to the same liabilities as the single county, herein provided for, and the judge of the county quarterly court shall in such case have the same powers for the purposes of enforcing this act, as are herein provided for in the case of single counties.

SEC. 11. That it shall be lawful for any county quarterly court to contract with any regularly incorporated society or municipality maintaining tuberculosis hospital for the care and treatment of any or all the tuberculosis inhabitants of the county, upon such terms and conditions as they may, by agreement, think proper[.] where [Where] a municipality now or hereafter maintains within such municipality a hospital for tuberculosis patients, it shall be the duty of the county wherein situated, if requested by such municipality, to maintain in such city hospital, the tuberculosis patients resident in said city, and shall make payment to said city for such care and maintenance.

Mattresses—Manufacture, Sale, and Labeling. (Ch. 60, Act Mar. 31, 1917.)

SECTION 1. That whoever manufactures for sale, offers for sale, as well as delivers, or has in his possession with the intent to sell or deliver, any mattress which is not properly branded or labeled as hereinafter provided, or which is falsely branded or labeled; or whoever uses, either in whole or in part, any cotton or other material

which has been used or has formed a part of any mattress, pillow or bedding used in or about any public or private hospital, or used by any person having an infectious or contagious disease; or whoever dealing in mattresses has a mattress in his possession for the purpose of sale without a brand or label or makes any change therein; shall be guilty of a misdemeanor and shall be fined not less than \$25 nor more than \$500, or to be imprisoned in the county jail for not more than 6 months, or both in the discretion of the court.

SEC. 2. The brand or label required by the next preceding section shall contain in plain print in the English language, a statement of the material used in the manufacture of such mattress, whether such materials are in whole or in part, new or secondhand, and the quantities and qualities of the material used. Said label shall be in the shape of a paper or cloth tag of sufficient dimension to provide plainly for the description of the material contained in said mattress and such paper or cloth tag shall be sewed or otherwise securely attached to the article and the label of this description shall in all cases be placed upon the outside of each bale, box or crate, in which such mattresses are to be shipped or expressed for sale.

SEC. 3. A mattress within the meaning of this act shall include any quilts or pads stuffed with hair, wool, cotton, excelsior, jute or any other soft material, except feathers, to be used in whole or in part in a pad for sleeping or reclining purposes.

SEC. 4. Then [sic] when in the opinion of the chief of the department of workshop and factory inspection, or any of his deputies, they have good reason to believe that any of the provisions of this act are being violated, that they shall have the power and it shall be their duty to forthwith make an impartial investigation, and if upon such investigation the provisions of this act are found to have been violated, it shall be their duty to enforce the provisions thereof and in such manner as in their judgment will compel the observation of this act.

SEC. 5. That the sale of any mattress used in any home, sanitarium, hospital or other place where there has been a contagious disease, is hereby expressly prohibited; and that said mattress or material therein contained shall be disposed of as directed by the inspector authorized to inspect mattresses under this act. And in no case shall the material be used in the reconstruction or making of mattresses for purpose of home, private or public use in any like capacity as may be intended in the manufacture of new mattresses.

The use of shoddy made from secondhand materials, jute, old comforts, quilts, pads or mattresses or floor sweepings from a cotton mill, compress or railroad platforms in the manufacture of new mattresses to be offered for sale as such is hereby expressly prohibited.

SEC. 6. That all mattresses that have been used shall be tagged indicating said mattress to be a used or secondhand mattress.

SEC. 7. That the giving away, gratuitously or otherwise, in connection with any sale of house furnishings, bedstead, divan, or other article of furniture, of any mattress herein restricted or prohibited for sale shall be unlawful and subject to the same penalty as provided for as relates to other unlawful acts incorporated within the provisions of this act.

SEC. 8. That the department of workshop and factory inspection is hereby charged with the duty of enforcing the provisions of this act and to prosecute violations thereof.

SEC. 9. That all laws and parts of laws in conflict with this act be and the same are hereby repealed; and this act shall take effect from and after July 1, 1917, the public welfare requiring it.

Foundries—Shower Baths and Dressing Rooms Required. (Ch. 50, Act Mar. 30, 1917.)

SECTION 1. It shall be the duty of all owners, proprietors and operators of foundries employing 12 or more men to provide shower baths, with hot and cold water, for the use of their employees, and also to provide and furnish their employees, comfortable dressing rooms, with heat when necessary to dry clothing, and lockers in which their employees may hang their clothes.

SEC. 2. Any failure or neglect on the part of any such owners, proprietors or operators to comply with or perform any of the provisions of this act, shall be on conviction thereof, subject to a fine of not less than \$5 nor more than \$50: *And provided, further,* That each day the provisions of this act are violated shall constitute a separate offense.

TEXAS.

Rabies—Treatment of Indigent Persons. (Ch. 151, Act Mar. 30, 1917.)

SECTION 1. That article 167, title 10, chapter 2 of the revised civil statutes of 1911 of the State of Texas be amended so as to hereafter read as follows:

ART. 167. All indigent persons afflicted with hydrophobia in this State shall be treated at the expense of the State at the pasteur hospital or department of the asylum for the treatment of hydrophobia at Austin, but the county in which such indigent persons reside, shall pay the traveling expenses of such person to and from Austin and the necessary living expenses of such person while in Austin undergoing said treatment, such expenses to be paid upon order of the commissioners court of the county in which such person resides when satisfactory showing is made to said court as to indigency and the reasonableness and the necessity of the expense. All non-indigent persons shall be kept, treated, and maintained at said hospital at their own expense or that of the relatives, friends or guardians.

Rural Sanitation—Appropriations. (Ch. 36, Act Feb. 22, 1917.)

SECTION 1. That for the purpose of enabling the State health officer of the State of Texas to employ such assistance as he deems necessary to assist in intensive rural health work and rural sanitation leading to the prevention and eradication of malaria, hookworm, typhoid fever, tuberculosis, and other contagious or infectious diseases in the State of Texas, there is hereby appropriated, out of the money of the State treasury not otherwise appropriated, the sum of \$25,000, or so much thereof as may be necessary, for the remainder of the fiscal year ending August 31, 1917, and the further sum of \$45,000, or so much thereof as may be necessary, for the fiscal year ending August 31, 1918, to be expended under the direction of the State health officer, and to be paid upon warrants drawn by the State comptroller of public accounts on vouchers approved by the State health officer.

SEC. 2. The State health officer is hereby authorized to supplement with a like amount any fund appropriated or expended by any county, or city or town therein, in intensive rural health work and rural sanitation, as prescribed by the provisions of this act: *Provided* That the county, or city or town therein, shall appropriate and set aside such an amount as in the discretion of the State health officer, may be necessary to adequately perform such work: *Provided, further*, That such sum so appropriated or set aside by any county, or city or town therein, is to be supplemented by a like amount out of the fund appropriated by the provisions of this act: *And, provided, further*, That the total amount thereof shall be expended for such purposes under the supervision of the State health officer.

SEC. 3. The State health officer is hereby authorized to accept any donation from any source to supplement the above fund or funds, which money so donated, if paid to the State health officer, shall be deposited with the State treasurer and kept in a special fund to be used for the purposes set forth in this bill, and paid out as herein directed: *Provided, however*, That the same shall be used for the specific purpose of preventing and eradicating malaria, hookworm, typhoid fever, and other contagious or infectious diseases in the State of Texas: *Provided*, That donations made by any county in this State shall be disbursed in the county making same.

SEC. 4. The fact that there are not sufficient funds available for the State health officer of Texas to perform intensive rural health work and rural sanitation in the State

of Texas, in the prevention and eradication of malaria, hookworm, typhoid fever, and other contagious diseases, creates an emergency and an imperative public necessity requiring that the constitutional rule which provides that bills be read on three several days shall be suspended, and it is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

State Tuberculosis Sanatorium—Establishment of Accommodations for and Maintenance of Patients by Fraternal Organizations. (Ch. 186, Act Apr. 2, 1917.)

SECTION 1. That chapter 77 of the general laws of the State of Texas, passed by the thirty-second legislature and approved March 17, 1911, as amended by the act of March 31, 1913, be amended by adding thereto sections 22, 23, and 24, the same to read as follows:

SEC. 22. The board of control of the State tuberculosis sanatorium at Carlsbad, Texas, be, and they are, hereby authorized and empowered, on request of charitable fraternities or societies, in this State, such as Free Masons, Odd Fellows, Knights of Pythias and the like, acting through their properly authorized officers, boards, or committees, to permit the erection, furnishing, and maintenance by such fraternities or societies, upon the grounds of said sanatorium, of dormitories, cottages, tents, or other sleeping and housing accommodations as may be desired by any such fraternity or society, for the proper and comfortable housing, sleeping, treatment, and caring for any member or members of such fraternity or society or for any members of their families, or for the widows and children of deceased members of such fraternity or society, who may be afflicted with tuberculosis, and which accommodations so erected, shall be reserved for the preferential use of such members and members of their families and of the widows and children of deceased members of the respective fraternity or society so erecting, furnishing, and maintaining such accommodations hereunder: *Provided*, That the State shall be at no expense whatever in the erection, furnishing, or maintenance of such accommodations: *And provided*, The charity, fraternity, or society entering a patient or patients, shall provide such prorata part for the maintenance of such patient or patients as may be found just and equitable pending the next succeeding appropriation to be made by the Legislature of Texas for the maintenance of said tuberculosis sanatorium: *And provided further*, That children under this section shall mean any person, under 21 years of age, the child of a deceased member of such fraternity or society: *And further provided*, That such accommodations or any part of them not being used nor required by those entitled to such preference, as hereinbefore provided, may be used and occupied by other patients in said sanatorium, at the discretion of the superintendent thereof and without any charge therefor against the State.

SEC. 23. All matters pertaining to the location, construction, style or character of buildings, term of their existence and all other questions arising in connection with the granting of the permission to erect and maintain the accommodations herein contemplated, shall be arranged and agreed upon in writing by and between the board of control of said sanatorium, on the part of the State of Texas, and the properly authorized officers, board or committee of each respective charitable fraternity or society and such written agreement in each case shall be recorded at length upon the minutes of said board of control and be duly reported to the State health officer in the next succeeding quarterly or annual report, accompanied with all documents pertaining to the matter, or full copies thereof.

SEC. 24. The members of such charitable fraternities or societies, members of their families and the widows and children of deceased members thereof, shall be classified as indigent public patients, nonindigent public patients or private patients, according to the facts, the same as other patients of said sanatorium are classified and shall be

admitted, maintained, cared for and treated in said sanatorium upon the same terms and conditions and under the same regulation as all other patients therein, save and except that they shall at all times have the preference right to occupy the accommodations erected and maintained hereunder by their several and respective fraternities or societies, when not already filled with others having the same preferential right.

SEC. 2. Whereas the accommodations at the State tuberculosis sanatorium are and will, probably for an indefinite time, be insufficient for the proper accommodation of the great number of patients entitled to admission thereto and the passage of this bill would provide for the accommodation of many patients afflicted with tuberculosis but now excluded from said sanatorium or delayed in admission thereto for the want of room and the early passage of this bill would further aid the State in carrying out the purposes of the law, with considerable financial saving to the State, these facts and considerations create and [an] emergency and an imperative public necessity that the constitutional rule requiring that all bills be read upon three several days should be suspended and the same is hereby suspended and that this act shall take effect and be in force from and after its passage and it is here now so enacted.

Buildings and Premises—Sanitary Regulation—Powers of Local Authorities. (Ch. 184, Act Apr. 2, 1917.)

SECTION 1. That article 984 of the revised civil statutes of Texas of 1911 be, and the same is hereby amended so as hereafter to read as follows:

ART. 984. In cities of 35,000 population, or over, the city or town council, city commissioners, or other governing body of a city or town whether acting under a special charter or incorporated under the general laws of the State, shall have power to require the filling up, drainage and regulating of any lot or lots, grounds or yards, or any other places in the city or town which shall be unwholesome, or have stagnant water therein, or from any other cause be in such condition as to be liable to produce disease; also to cause all premises to be inspected and to impose fines on the owners of houses under which stagnant water may be found, or upon whose premises such stagnant water may be found, and to pass such ordinances as they may deem necessary for the purposes aforesaid and for making, filling up, altering or repairing of all sinks, and privies, and directing the mode and material for constructing them in future, and for cleansing and disinfecting the same; and for cleansing of any house, building, establishment, lot, yard or ground from filth, carrion or impure or unwholesome matter of any kind; also to require the owner of any lot or lots within such city or town to keep the same free from weeds, rubbish, brush and any and all other objectionables [sic], unsightly or unsanitary matter of whatever nature, and in the event such owner fails or refuses so to do, within 10 days after notice in writing, or by letter addressed to such owner at his post-office address, or by publication as many as two times within 10 consecutive days, if personal service may not be had as aforesaid, or the owner's address be not known, such city or town may do such work or may cause the same to be done and pay therefor and charge the expenses incurred in doing or having such work done or improvements made to the owner of such property, as herein provided; and to punish any owner or occupant violating the provisions of any ordinance so passed, as aforesaid; and the city or town council, city commissioners, or other governing body of such town or city, shall also in addition to the foregoing remedy, have the power to cause any of the improvements above mentioned to be done at the expense of the city or town, on account of the owners, and cause the expense thereof to be assessed on the real estate, or lot or lots upon which such expense is incurred; and, on filing with the county clerk of the county in which the city or town is situated a statement by the mayor or city health officer of such city or town of such expenses, such city or town shall have a privileged lien thereon, second only to tax liens and liens for street improvements to secure the expenditures so made,

and 10 per cent interest on the amount from the date of such payment. For any such expenditures, and interest, as aforesaid, suit may be instituted and recovery and foreclosure had in the name of the corporation, in any court having jurisdiction; and the statement so made, as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended in any such work or improvements.

Births and Deaths—Registration. (Ch. 129, Act Mar. 29, 1917.)

SECTION 1. That for the purpose of the efficient enforcement of the sanitary code of Texas and [sic] the State board of health shall establish a bureau of vital statistics, and shall provide therefor suitable apartments, fireproof vaults and filing cases necessary for the permanent preservation of all official records relating to births and deaths in the State of Texas, including those of the years prior to 1910 now in the basement of the State capitol.

SEC. 2. In addition to the qualification now required of the State registrar of vital statistics, he shall be a licensed physician under the laws of this State, and shall have had not less than 5 years' experience as a general practitioner and 2 years' experience as a vital statistician; and it shall be his duty to superintend the collection, filing and compilation of all birth and death certificates.

SEC. 3. The State registrar of vital statistics shall receive an annual salary of \$2,400, and shall not engage in private practice during the time he serves as such registrar.

SEC. 4. The State health officer is hereby authorized, and it shall be his duty, immediately after this act takes effect, to appoint a deputy State registrar of vital statistics, who shall act as assistant to the State registrar and shall perform such duties as may be assigned him by the State registrar.

SEC. 5. The deputy State registrar shall receive an annual salary of \$1,500: *Provided*, That said deputy State registrar shall have had at least 2 years' practical experience as a vital statistician.

SEC. 6. The city or county registrar shall receive a fee of 25 cents for each birth and for each death certificate completely filled in and properly registered and filed by him with the State registrar as required by the rules and regulations of the sanitary code for Texas and the provisions of this act, and, all accounts payable to a county registrar shall be paid by the county treasurer out of the general fund of the county: *Provided, however*, That each account shall in addition to the approval of the commissioners' court of the county, or the county auditor, as the case might be, bear approval of the State registrar: *And provided, further*, That the State registrar shall, not later than December 1, 1917, and each year thereafter, certify to the commissioners' court of the several counties the number of births [sic] and death certificates properly returned to the bureau of vital statistics during the preceding year, together with the name and the amount due each county registrar at the rate fixed herein: *Provided, further*, That all accounts payable to a city registrar shall be approved by the city council, or city commission, as the case might be, and also bear the approval of the State registrar, and the same shall be paid out of the general fund of the city: *Provided, however*, That in all incorporated cities or towns where the official who performs the duties of city registrar receives any salary, compensation or reward for his services that the 25 cents provided for each certificate herein shall not be allowed.

SEC. 7. That for the purpose of the efficient enforcement of this act, when any county registrar shall fail or refuse to secure and return to the bureau of vital statistics the birth and death certificates required to be secured and returned by him as such county registrar, then the State health officer, upon the written recommendation of the State registrar, shall petition the commissioners' court of such county to appoint some qualified person to perform the duties of local or precinct registrar for each commissioners' precinct within such county: *Provided*, That such person so appointed shall be a bona fide resident of the county and of such commissioners' precinct, and shall receive the 25 cents provided herein for each birth or death certificate: *Provided, further*, That such local or precinct registrar shall forward the original birth or death certificate to the bureau of vital statistics in the same manner as provided by law for

city and county registrars, and shall also send on same date a copy or duplicate of such birth or death certificate to the county clerk to be recorded by him in the record kept by him in his office for that purpose: *Provided, further*, That when any city registrar shall fail or refuse to secure and return to the bureau of vital statistics the birth and death certificates required to be secured and returned by him as such city registrar, then the State health officer, upon the written recommendation of the State registrar, shall petition the city council, or commission, of such city or town to appoint some qualified person to perform the duties of city registrar: *Provided*, That such person so appointed shall be a bona fide resident of such city or town, and shall receive 25 cents provided herein for each birth or death certificate.

SEC. 7a. Whenever a commissioners' precinct of a county is located so as not to be conveniently accessible to the county registrar, and that fact is brought to the knowledge of the State registrar, or the county health officer shall recommend [sic] in writing to the State health officer petition the commissioners' court of such county to appoint some qualified person to perform the duties of precinct registrar for such precinct, and it shall be the duty of the commissioners' court, upon receipt of such petition from the State health officer, to appoint such precinct registrar: *Provided*, That such registrar shall possess the qualifications, perform the duties, and receive the rate of compensation prescribed for precinct registrars by the provisions of section 7 of this act.

SEC. 8. Each death certificate shall contain the following items, and which are hereby declared to be personal and statistical particulars and medical particulars necessary to complete such certificate:

- (1) Place of death, including city or village.
- (2) Full name of decedent.
- (3) Sex.
- (4) Color and race.
- (5) Conjugal relations (single, married, widowed, or divorced).
- (6) Date of birth (year, month and day).
- (7) Age (years, month and days).
- (8) Occupation described in full.
- (9) Place of birth.
- (10) Name of father.
- (11) Birthplace of father.
- (12) Maiden name of mother.
- (13) Birthplace of mother.
- (14) Signature and address of informant.
- (15) Date of death (give year, month and day).
- (16) Certification as to the medical attendance on the decedent, fact and time of death, time last seen alive and cause of death, with contributory cause, if any, and duration of each, and whether due to dangerous or unsanitary conditions of employment, together with signature and address of physician or official making the medical certificate and date of certification.
- (17) Length of residence at place of death.
- (18) Place of burial or removal and date of same.
- (19) Signature of undertaker or person acting as such, and all death certificates shall be made on a form and of a size prescribed by the State registrar of vital statistics: *And provided*, Subdivision 5 to 13, inclusive, may be omitted, if such information is not obtainable, and the death certificate shall be so endorsed.

SEC. 9. Each birth certificate shall contain the following items, and which are declared to be necessary statistical data to complete such certificate:

- (1) Place of birth, county, city or village.
- (2) Full name of child.
- (3) Sex of child.

- (4) Whether twin, triplet, or plural birth.
- (5) Whether legitimate or illegitimate.
- (6) Date of birth, year, month and day.
- (7) Full name of father.
- (8) Residence of father.
- (9) Color or race of father.
- (10) Age of father at last birthday.
- (11) Occupation of father.
- (12) Birthplace of father.
- (13) Maiden name of mother.
- (14) Residence of mother.
- (15) Color or race of mother.
- (16) Age of mother at last birthday.
- (17) Birthplace of mother.
- (18) Occupation of mother.
- (19) Number of children born to this mother prior to this birth.
- (20) Number of children of this mother living.
- (21) The certification of attending physician, surgeon or midwife, as to attendance at birth, including the statement of the year, month, day and hour of birth, and whether the child was born alive or was still-born: *Provided*, That such certificate shall be signed by the physician or surgeon, or midwife, with the date of signature and address of such physician, or surgeon, or midwife: *Provided, further*, That if there was no physician, surgeon, or midwife in attendance, then the father or mother of the child, or the owner of the premises, shall notify the local registrar within 5 days following the birth, and such registrar shall fill in this item and the party so notifying the registrar shall sign such certificate, and such certificate shall fully and completely contain all the facts in connection with such birth: *And provided, further*, That all birth certificates shall be upon a form and of a size prescribed by the State registrar of vital statistics.

SEC. 10. The State registrar of vital statistics shall, upon the request of any applicant, furnish a certified copy of any birth or death record registered under the provisions of this act, and for such certified copy he shall be entitled to a fee of 50 cents to be paid by the applicant: *And provided further*, That such copy of the record of birth or death, when properly certified by the State registrar of vital statistics as a true copy of the original, shall be prima facie evidence in all courts and places of such facts therein stated: *And provided further*, That it shall be the duty of the State registrar, at the end of each month, to make an itemized account of all fees collected by him during that month and pay the same over to the State treasurer to be kept by such treasurer in a special and separate fund to be known as the "vital statistics fund," and the amounts so deposited in such fund may be used for the expenses incurred in the enforcement of the law relating to the registration of births and deaths within this State, and any unexpended balance remaining in such fund at the end of each fiscal year shall be transferred to the public school fund of the State.

SEC. 11. The body of any person whose death occurs within the State of Texas, or which may be found dead within the State of Texas, shall not be interred or deposited in a vault, or tomb, or cremated, or otherwise disposed of, or removed from or into any registration district, or be held temporarily pending further disposition, for a period of more than 72 hours after death, unless a permit for burial, removal or other disposition thereof shall have been properly issued by the registrar of the city, county or precinct in which the death occurred or the body was found: *Provided, however*, That this section shall not apply to counties of less than 2,000 inhabitants: *Provided further*, That no such burial or removal permit shall be issued by any registrar until a complete certificate of death has been filed with him as herein provided: *And provided further*, That when a body is transported from one registration district to another district, or from another State into another registration district within this State, for

burial or other disposition, the transmit [transit] or removal permit issued in accordance with the law shall be accepted by the registrar of the district into which the body is transported for burial or other disposition as a basis upon which he may issue a local burial permit: *And provided further*, That the registrar shall note upon the face of such permit the fact that the body was shipped in for burial or other disposition, and shall state thereon the actual place of death: *And provided further*, That no registrar shall receive any fee or pay for the issuance of such permits.

SEC. 12. That any person, or persons, who shall violate any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction in a court of competent jurisdiction shall be fined not less than \$10 nor more than \$100.

SEC. 13. That any person who shall falsely or fraudulently furnish any information for the purpose of making an incorrect record of a birth or death, shall be guilty of a felony, and, upon conviction in a court of competent jurisdiction, shall be punished by confinement in the State penitentiary for a term of not less than 1 year nor more than 2 years.

SEC. 14. The salaries and contingent expenses of the bureau of vital statistics shall be paid by the State, and for the purpose of putting this act into immediate effect, and for the purpose of the efficient enforcement of the same, there is hereby appropriated out of any money in the State treasury, not otherwise appropriated, the sum of \$8,000 for the purpose of paying the salaries of the State registrar, deputy State registrar, all necessary clerical services, and other necessary expenses, for the remainder of the fiscal year ending August 31, 1917.

SEC. 15. No system for the registration of births and deaths shall be continued or maintained in any of the several cities or counties of this State other than the system provided for and prescribed by the provisions of this act: *Provided*, This act shall not be construed to repeal any of the laws of this State now in force affecting public health and the registration of birth and death certificates, which are not clearly in conflict herewith, but shall be construed to be cumulative to said laws.

SEC. 16. The fact that all birth and death records prior to the year 1910 are now on the floor of the basement of the State capitol and are not protected nor in a condition to be of use to the citizens of this State, and the further fact that the efficient enforcement of the child labor and the compulsory school attendance law is each dependent upon complete birth and death registration, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and the same is hereby suspended and this act shall take effect from and after its passage, and it is so enacted.

UTAH.

Rabies and Other Animal Diseases—Control—Quarantine—Muzzling of Dogs— Destruction of Animals. (Ch. 117, Act Mar. 17, 1917.)

SECTION 1. *Dangerous diseases; quarantines; rabies and hydrophobia.*—Whenever any case or cases of rabies, or other animal diseases dangerous to the health of human beings, which may be declared by the State board of health as coming under the provisions of this act, shall be reported as existing in any county, city and county, or incorporated city or town in the State of Utah, the State board of health shall make, or cause to be made a preliminary investigation as to whether such disease does exist, and as to the probable area of the State in which the population or animals are thereby endangered. If upon such investigation the State board of health shall find that any of the said diseases does exist, a quarantine shall be declared against all such animals as may be designated in the quarantine order, and living within the area specified in said order, and if the quarantine shall be for the purpose of preventing the spread of rabies or hydrophobia the declaration (notice) shall contain a warning to the owners of dogs within the quarantined area to confine closely or to muzzle all such dogs so as effectually to prevent biting, and after such notice as aforesaid any dog found running at large in such quarantined area or known to have been removed from or to have escaped from such area, not being muzzled as aforesaid, may be killed by any person, without liability therefor.

SEC. 2. *Investigations.*—Following the order of quarantine the State board of health shall make or cause to be made a thorough investigation as to the extent of the disease, the probable number of persons and animals exposed, and the area found to be involved.

SEC. 3. *Powers and duties of peace officers.*—It shall be the duty of all peace officers and boards of health to carry out the provisions of this act. During the period for which any quarantine order is in force all peace officers are empowered to kill or in their discretion to capture and hold for further action by the State board of health or its representatives all animals in a quarantine area, found on public highways, lands and streets, or not held in restraint on private premises as specified in this act.

SEC. 4. *Right of examinations.*—All proper officials within the meaning of this act are hereby authorized to examine and enter upon all private premises for the enforcement of this act.

SEC. 5. *Violation of act a misdemeanor; penalty.*—Any owner, or other person in the possession of any animal being held or maintained in violation of the provisions of this act, shall be deemed guilty of a misdemeanor and punished by a fine of not less than \$5, nor more than \$250 and be imprisoned in the county jail not more than 90 days at the discretion of the court.

SEC. 6. *Measures of control.*—Whenever it becomes necessary in the judgment of the State board of health or its secretary, to enforce the provisions of this act in any county, city and county, or incorporated city or town, the said board or its secretary may institute special measures of control to supplement the efforts of the local authorities in any county, city and county, or incorporated city or town whose duties are specified in this act.

SEC. 7. *Quarantine defined.*—Quarantine shall be defined for the purposes of this act as meaning the strict confinement, upon the private premises of the owners under restraint, by leash or closed cage or padlock, of all animals specified by the order.

County Hospitals—Establishment, Maintenance, and Regulation. (Ch. 106, Act Mar. 15, 1917.)

SECTION 1. Object; manner; petition; duty of commissioners.—Any county may establish a hospital in the following manner: Whenever the board of county commissioners of any county shall be presented with a petition signed by 20 per cent of the resident taxpayers of said county, one-half of whom shall not be residents of the town in which said hospital is to be located, asking for the annual levy of a tax for the establishment and maintenance of a public hospital at a place in the county therein named, and shall specify in their petition the maximum amount of money to be spent in the establishment, building or buying of such structure as shall be used for said hospital, such board of county commissioners shall submit the question to the qualified electors of the county at the next general election to be held in the county, or at a special election to be held for that purpose, giving 90 days notice thereof in one or more newspapers published in said county, if any be published therein, and by posting such notices written or printed, in each voting precinct in said county, which notice shall include the text of the petition, and state the amount of tax to be levied upon the assessed property of said county, which tax shall not exceed 2 mills on the dollar for a period of time not exceeding 20 years, and to be for the issue of county bonds, and provide funds for the purchase of a site or sites, and the erection thereon of a public hospital building or buildings; and for the support of the same; which said election shall be held at the usual places in said county for electing county officers, the vote to be canvassed in the same manner as that for county officers.

SEC. 2. Submission to vote; ballot; tax; levy.—The board of county commissioners of such county shall submit to the qualified voters thereof at a regular or special election the question whether there shall be levied on the assessed property of such county a tax of mills on the dollar for the purchase of real estate for hospital purposes, for the construction of hospital buildings, and for the maintaining of the same, or for either or all such purposes. The ballot to be used at any election at which the hospital question is submitted shall be printed with a statement substantially as follows:

“For a mill tax for a bond issue for a public hospital and the maintenance of the same. Yes. No.”

If a majority of the votes cast at such an election on a proposition so submitted shall be in favor of a mill tax for a bond issue for a public hospital and for the maintenance of the same, the board of county commissioners shall levy the tax so authorized, which shall be collected in the same manner as other taxes are collected and credited to the hospital fund and shall be paid out on the order of the hospital trustees for the purpose authorized by this act, and for no other purpose whatsoever.

SEC. 3. Trustees; number; selection.—Should a majority of all votes cast upon the question be in favor of establishing said county hospital, the board of county commissioners shall proceed to appoint 5 trustees as follows:

One trustee for each school precinct where county constitutes but one school district, such trustee to hold office until the next school election, when his successor shall be elected, one for each school precinct, who shall hold office for the same period of time as the school trustees of their respective precincts.

At each subsequent school election the offices of such trustees whose term of office is about to expire shall be filled by the nomination and election of hospital trustees in the same manner as provided for the nomination and election of school trustees in such county: *Provided*, That in counties containing more than one school district the county commissioners shall divide said county into five representative precincts and shall appoint one trustee for each of such precincts, said trustees to hold office until the next school election, when their successors shall be elected, one from each hospital precinct, in the same manner as provided for election of trustees in school precincts. No physician shall serve as a member of the hospital board.

SEC. 4. *Organization; officers; compensation; powers and duties of board.*—The said trustees shall within 10 days after their election or appointment qualify by taking the oath of civil officers and organize as a board of hospital trustees by the election of such other officers as they may deem necessary, but no bond shall be required of them.

The county treasurer of the county in which the hospital is located shall be treasurer of the board of hospital trustees. The treasurer shall receive and pay out all moneys under the control of the board as ordered by it, but shall receive no compensation from such board. No trustee shall receive compensation for his service performed, but may receive a reimbursement for expenditure actually made for personal expenses made or incurred as a trustee, and an itemized account of all such expenses made and money paid out shall be made under oath by each of such trustees and filed with the secretary and allowed only by the affirmative vote of all the trustees at a board meeting. The board of trustees shall make and adopt such rules and regulations for their own guidance and for the government of the hospital as they deem expedient for the economic and equitable conduct thereof not inconsistent with this act and the ordinances of such town or city wherein such hospital is located. They shall have control of all money collected for the hospital fund, for the purchase of sites, the purchase of or construction of a hospital building or buildings, and of the supervision, care, and custody of the grounds, rooms or buildings purchased: *Provided*, That all money received from such hospital shall be deposited in the treasury of the county to the credit of the hospital fund and paid out only by warrant drawn by the auditor of said county on the property of [properly] authenticated vouchers of the hospital board.

Said hospital board shall have the power to appoint a suitable matron or superintendent, or both, and necessary assistants, and fix their compensation, and shall have power to remove such appointees; and shall in general carry out the spirit and intent of this act in establishing and maintaining a public hospital.

Such board shall hold meetings at least once a month; they shall keep a complete record of all proceedings; and four members of such board shall constitute a quorum for the transaction of business. One of said trustees shall visit and examine said hospital at least twice a month, and the board shall within the first week of January of each year compile and publish in one or more newspapers in the county in which said hospital is located, if such newspaper there be, and also file with the county commissioners in said county a report of their proceedings with reference to such hospital, and a statement of all receipts and expenditures of the year, and shall certify the amount necessary to maintain and improve the hospital for the ensuing year.

No trustee shall have pecuniary interest in the purchase of any supplies for the hospital unless such supplies be purchased by competitive bidding.

SEC. 5. *Filling vacancies.*—Vacancies in the board of trustees occasioned by removals or resignations or otherwise, shall be reported to the board of county commissioners and be filled in like manner as the original appointments, appointees to hold office until the next following school election, when such vacancies shall be filled in the regular manner.

SEC. 6. *Issuance of bonds; sale; terms and conditions.*—Whenever any county in the State shall provide for the appointment and election of hospital trustees and shall have voted a tax to provide for the payment of bonds, said bonds may be issued for a term not exceeding 20 years for hospital purposes as provided by law, the said county may issue bonds in anticipation of the collection of such tax in such sums as the board of hospital trustees shall certify to the board of county commissioners of said county to be necessary for the purpose contemplated by such tax; but such bonds in the aggregate shall not exceed the amount which might be levied on the property valuation of the year in which the tax is voted, and such bond shall mature in 20 years from the date and shall be in sums of not less than \$100 nor more than \$1,000, and drawing interest at the rate of not to exceed 5 per cent per annum, payable annually or semi-annually; said bond shall be payable at the pleasure of the county after 5 years, and each of said bonds shall provide that it is subject to this provision, and shall not be sold for less than par, and shall be substantially in the form provided for county bonds, but subject to changes that will conform them to the provisions of this act,

and be numbered consecutively and redeemable in the order of their issuance. For the providing of the levy to pay interest, principal and redemption of said bonds the existing statutes shall apply.

SEC. 7. *Sites; condemnations.*—If the board of hospital trustees and the owner of any property desired for [by?] them for hospital purposes can not agree as to the price to be paid therefor, the board shall report the same to the board of county commissioners and condemnation proceedings shall be instituted by the board of county commissioners and prosecuted in the name of the county wherein such hospital is located, by the county attorney for such county under the provisions of the existing statutes.

SEC. 8. *Erection of buildings.*—No hospital building shall be erected or constructed until the plans and specifications therefor have been made and adopted by the board of hospital trustees and bids advertised for according to law as for other county buildings.

SEC. 9. *Jurisdiction of towns where located.*—The jurisdiction of the city, town or village in or near which such hospital is located shall extend over all lands used for hospital purposes outside the corporate limits, if so located, and all ordinances of such cities or towns shall be in full force and effect in and over the territory occupied by such public hospital.

SEC. 10. *Improvement appropriations.*—In counties exercising the rights conferred by this act, the board of county commissioners may appropriate each year, in addition to a tax for hospital funds hereinbefore provided for, not exceeding 5 per cent of the general fund for the improvement and maintenance of any hospital so established.

SEC. 11. *Beneficial use; privileges extended; conditions.*—Every hospital established under this act shall be for the benefit of the inhabitants of such county and of any person falling sick or being maimed or injured within its limits; but every inhabitant or person who is not a pauper shall pay to such board of hospital trustees, or such officers as it shall designate for such public county trustees, a reasonable compensation for occupancy, nursing, care, medicine or attendance according to the rules and regulations of such board as may be adopted in order to render the use of said hospital of the greatest benefit to the greatest number; and said board may exclude from the use of such hospital any and all persons or individuals who wilfully violate such rules and regulations. Such board may extend the privileges and use of such hospital to persons residing outside of such county upon such terms and conditions as said board may from time to time by its rules and regulations prescribe.

SEC. 12. *Subject to rules.*—When such hospital is established the physicians, nurses and attendants, the person [sic] sick therein, and all persons approaching or coming in the limits of the same, and all furniture and other articles used or bought [brought] there shall be subject to such rules and regulations as the board may prescribe.

SEC. 13. *Donations.*—Any person or persons, firm or corporation, organization or society desiring to make donations of money, personal property or real estate, for the benefit of such hospital shall have the right to vest title to the money or real estate so donated to [in?] said county hospital, to be controlled when accepted by the board of hospital trustees, according to the terms of the deed, gift or device [devise] of such property.

SEC. 14. *Physicians.*—In the management of such public hospital no discrimination shall be made against practitioners of any school of medicine recognized by the laws of the State of Utah, and all such legal practitioners shall have equal privileges in the treating of patients in said hospital. The patient shall have the absolute right to employ, at his or her own expense, physicians, and when acting for any patient in such hospital the physician employed by such patient shall have exclusive care and treatment of such patient, and nurses therein and patients shall be subject to the directions of such physicians, subject always to such general rules and regulations as shall be established by the board of trustees under the provisions of this act.

SEC. 15. *Apartment for insane; uses.*—The said board of trustees shall at all times provide a suitable room for the examination and detention of all persons brought be-

fore the commissioners of insanity for such county, provided that such hospital is located at the county seat. Such person having been adjudged insane shall be sent to the State mental hospital at the discretion of the commissioners of insanity.

SEC. 16. *Tubercular and infected patients.*—The board of hospital trustees are hereby authorized to provide suitable apartments in said hospital for the care and treatment of all medical and surgical cases, including tuberculosis, infectious diseases and maternity cases, to formulate rules and regulations for the government of such persons, and for the protection from infection of other patients, persons, nurses and attendants in such public hospital as may be deemed necessary. It shall be the duty of such person in charge of, or employed at such hospital, or resident thereof, to faithfully obey all such rules and regulations.

SEC. 17. *Compensation.*—The board of hospital trustees shall have the power to determine whether or not patients presented at such public hospital for treatment are subjects for charity, and shall fix such rate for treatment of patients other than those unable to assist themselves as may be deemed right and equitable by the board of trustees.

SEC. 18. *Care of indigent.*—The board of county commissioners of any county where no suitable provisions have been made for the care of its indigent residents may contract with the board of trustees of any public hospital for the care of such persons in the hospital upon such terms as may be agreed upon.

Children—Employment in Certain Occupations Prohibited. (Ch. 80, Act Mar. 12, 1917.)

SECTION 1. Sections 1 and 8 [chapter 144], laws of Utah, 1911, as amended by chapter 61, laws of Utah, 1915, are hereby amended to read as follows:

SECTION 1. No child under the age of 16 years shall be employed, permitted or suffered to work in any capacity in, about or in connection with the preparing of any composition in which dangerous or poisonous acids are used—manufacture of paints, colors or white lead; manufacturing, packing or storing powder, dynamite, nitroglycerine compounds, fuses or other explosives; * * * or in any quarry, any mine, coal breaker, laundry, tobacco warehouse, cigar factory, or other factory where tobacco is manufactured or prepared, * * * or in any other employment declared by the State board of health to be dangerous to lives or limbs, or injurious to the health or morals of children under the age of 16.

SEC. 8. No boy under the age of 14 years and no girl under the age of 16 years shall be employed, permitted or suffered to work at any gainful occupation other than domestic service, fruit or vegetable packing or work on a farm more than 8 hours in any one day nor more than 48 hours in any one week.

Habit-Forming Drugs—Sale and Dispensing. (Ch. 12, Act Feb. 20, 1917.)

SECTION 1. *Section amended.*—That section 8 of chapter 66,¹ laws of Utah, 1915, be, and the same is hereby amended to read as follows:

SEC. 8. *Possession and use of narcotic drugs; dispensing at retail and wholesale; prescriptions by physicians, druggists and dentists; exceptions.*—It shall be unlawful for any person, firm or corporation to sell, furnish or give away, or offer to sell, furnish or give away or to have in possession, any cocaine, opium, morphine, codeine, heroin, peyote (mescal button), alpha eucaine, beta eucaine, nova caine, flowering tops and leaves, extracts, tinctures and other narcotic preparations of hemp or loco weed (*cannabis sativa*, Indian hemp), or chloral hydrate, or any of the salts, derivatives or compounds of the foregoing substances, or any preparation or compound containing any of the foregoing substances, or their salts, derivatives or compounds, excepting upon the written order or prescription of a physician, dentist or veterinary surgeon, licensed to practice in this State, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person

¹ Pub. Health Repts. Reprint 338, p. 520.

writing said prescription, or if ordered by a veterinary surgeon it shall state the kind of animal for which ordered and shall be signed by the person giving the prescription or order: *Provided, however,* That this exception shall not apply to anhalonium or peyote, the use thereof, in any form whatsoever, being hereby positively prohibited: *And it is hereby further provided,* That it shall be unlawful for any person, association or corporation to carry or cause to be carried into or within this State any of said anhalonium or peyote or any compound, manufacture, derivative or preparation thereof. Such order or prescription shall be permanently retained on file by the person, firm or corporation compounding or dispensing the articles ordered or prescribed and no order or prescription shall be refilled. All such orders or prescriptions, after filing, shall be open to public inspection and shall be preserved for at least three years. The foregoing provisions of this section shall not apply to sales at wholesale by jobbers, wholesalers and manufacturers to registered drug stores or pharmacies, or to registered pharmacists or to licensed physicians, nor to the sale at retail by registered pharmacists to physicians, dentists or veterinary surgeons duly licensed to practice.

All wholesale jobbers, wholesalers or manufacturers shall, before delivery of any of the articles in this section enumerated, make or cause to be made, in a book kept for that purpose only, an entry of the sale of any such articles, stating the date of such sale and the quantity and the name of the article and the form in which sold, the true name and true address of the purchaser, the name of the person by whom such entry or sale was made, also a statement showing how delivery was had, whether personally or by mail, express or by freight, which book shall always be open for inspection by any peace officer or any member of the board of pharmacy, or any inspector authorized by said board, and which book shall be preserved at least 5 years from the date of the last entry therein. The taking of any order, or making of any contract or agreement, by any traveling representative, or any employe, or any person, firm or corporation, for future delivery in this State, of any of the articles or drugs mentioned in this section shall be deemed a sale of said articles or drugs by such traveling representative or employe, within the meaning of the provisions of this act, and all such orders, contracts or agreements shall be recorded in the same book and in the same manner as in this section provided for the recording of sales by wholesale jobbers, wholesalers or manufacturers.

It shall be unlawful for any practitioner of medicine, dentistry or veterinary medicine to furnish to or prescribe for the use of any habitual user of cocaine, opium, morphine, codeine, heroin, peyote, or chloral hydrate, or any salt, derivative or compound containing any of the foregoing substances, except that a duly licensed physician may prescribe any of such drugs as he may deem necessary in the treatment of a patient who may be an habitual user of any of such drugs, whom such physician has taken in good faith under his professional care. It shall be unlawful for any practitioner of medicine or dentistry to prescribe any of the foregoing drugs for any person not under his treatment in the regular practice of his profession, or for any veterinary surgeon to prescribe any of the foregoing drugs for the use of any human being.

The above provisions of this section shall not apply to preparations or remedies sold or dispensed by a registered pharmacist, without a physician's prescription, which preparations or remedies contain not more than two grains of opium, or one-fourth grain of morphine, or one grain of codeine, or one-eighth grain of heroin, or one-half grain extract cannabis indica, or ten grains chloral hydrate, in one fluid ounce, or, if a solid preparation, in one ounce, avoirdupois; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute for them: *Provided,* That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act.

VERMONT.

Venereal Diseases—Notification of Cases—Marriage of Infected Persons—Educational Campaign. (Act 238, Mar. 14, 1917.)

SECTION 1. Section 1 of No. 198¹ of the acts of 1915 is hereby amended so as to read as follows:

SECTION 1. A person who, having been told by a physician that he or she was infected with gonorrhea or syphilis, marries, without assurance and certification from a legally qualified practitioner of medicine and surgery that he or she is free from gonorrhea or syphilis shall be fined not more than \$500 or imprisoned not more than 2 years.

SEC. 2. Section 3 of No. 198 of the acts of 1915 is hereby amended so as to read as follows:

SEC. 3. A physician, or any other person who knows or has reason to believe that a person whom he treats or prescribes for or to whom he sells medicine other than on a physician's prescription, has gonorrhea or syphilis, shall immediately report the name, nationality, race, marital state, address, age and sex of such person to the secretary of the State board of health, for which report he shall receive the sum of 25 cents to be paid by the State board of health. A person who fails to make such report shall be fined not more than \$200.

SEC. 4 [3]. Section 5 of No. 198 of the acts of 1915 is hereby amended so as to read as follows:

SEC. 5. Said board shall semiannually in the months of January and July pay such persons all sums due on account of such reports; and such expenditures shall be allowed in said board's accounts.

SEC. 6 [4]. There is hereby added to No. 198 of the acts of 1915 a new section to read as follows:

SEC. 8. Authority is given said board under this act to conduct an educational campaign of methods of prevention and treatment and care of persons suffering from gonorrhea and syphilis, and sums so expended shall be paid from the appropriation herein named.

Tuberculosis—Care of Indigent Persons—Appropriation. (Act 116, Mar. 24, 1917.)

SECTION 1. Section 7 of No. 219 of the acts of 1912 as amended by section 1 of No. 199¹ of the acts of 1915 is hereby amended so as to read as follows:

SEC. 7. The sum of \$5,000, or so much thereof as may be necessary, is hereby appropriated for the purpose of carrying out the provisions of this act up to and including June 30, 1917.

Tuberculin—Sale and Use—Reports to Live Stock Commissioner. (Act 193, Mar. 17, 1917.)

SECTION 1. All tuberculin sold, given away or used within this State, shall bear a label stating the name and address of the person, firm, or institution making it and the date of preparation. A person selling or giving away tuberculin shall report to the live stock commissioner the amount of tuberculin sold or given away; the degree

¹ Pub. Health Repts. Reprint 338, p. 534.

of strength; the name and address of the person to whom sold or given; and the date of delivery; such report shall include the address of and be signed by the person or firm making the report. A person buying or procuring tuberculin shall not use or dispose of it until assured in writing by the person from whom the tuberculin is received that its delivery has been reported to the live stock commissioner or unless he has reported its receipt to said commissioner with information required to be furnished by those who distribute tuberculin, and the person buying or procuring tuberculin shall keep a correct record of the amount received; the amount used; and the amount on hand, and shall report these facts whenever any tuberculin is used, and if at any time unused tuberculin is not deemed fit or is not to be used, said person shall forward it to said commissioner with a statement showing his name and address; where and when such tuberculin was procured; the amount procured at the time; and the amount used.

SEC. 2. If the amount forwarded to said commissioner and the amount used does not equal the amount procured or purchased, a statement shall be made as to the disposition of the remainder. A person shall not treat any bovine animal with material or substance nor in any manner for the purpose of preventing a normal reaction on the part of such animal to the tuberculin test. A person shall not knowingly sell or offer for sale an animal that has reacted to the tuberculin test.

SEC. 3. A veterinary surgeon who violates a provision of this act shall forfeit his certificate to practice and thereafter be debarred from practicing his profession within the State of Vermont, until such disability is legally removed.

SEC. 4. A person who violates a provision of this act shall be fined not more than \$200 nor less than \$10, or be imprisoned not more than 6 months.

White Diarrhea in Fowls—Laboratory Tests for Detection of. (Act 199, Apr. 13, 1917.)

SECTION 1. The auditor of accounts shall draw his order in favor of the Vermont State Laboratory of Hygiene for a sum not to exceed \$500, which sum shall be used by the director of the laboratory as needed in making preparations for testing the blood of fowls belonging to residents of this State, for the presence of the infection of white diarrhea. The test shall be made at the expense of the parties and the results reported to them.

SEC. 2. The director of the laboratory shall furnish, at the request of any resident of the State, without charge, except for transportation, instructions for taking specimens, and such containers and apparatus as are necessary for taking the specimens and, if necessary, shall arrange to send someone to take the samples. Said director is hereby empowered to make all rules and regulations governing the collection and transportation of such samples, and may, in his discretion, refuse to test samples collected or transported contrary to such instructions, rules and regulations. Said director is also empowered to fix the fees for making such tests, which shall not exceed 15 cents for each fowl tested, in addition to the necessary expenses incurred in collecting the samples. No test shall be made by the director unless such fees are paid.

SEC. 3. The director shall quarterly pay all such fees, except moneys received for traveling expenses, into the State treasury, and the auditor of accounts shall quarterly draw his order in favor of the director for the expenses incurred in making such tests, but the same shall not exceed in any year the fees received during that year. Any balance of fees not required for making the tests shall belong to the State.

SEC. 4. The director shall publish in his report a detailed statement of the receipts and expenditures incurred under this act.

State Board of Health—Appointment—Expenses—Appointment and Duties of Secretary—Employees. (Act 192, Apr. 11, 1917.)

SECTION 1. Section 5409 of the public statutes as amended by section 162 of No. 1¹ of the acts of 1915 is hereby amended so as to read as follows:

SEC. 5409. The State board of health shall consist of three persons who shall be appointed as provided by this act. The governor shall in the year of 1917 appoint, with the advice and consent of the senate, two members of said board, one for a term of 2 years and one for a term of 4 years, from and including the first day of February, 1917, and shall biennially thereafter, in the month of January, with the advice and consent of the senate, appoint one member of said board whose term of office shall be for 4 years from and including the first day of February in the year of such appointment. If a vacancy occurs in such office, the governor shall fill the same by appointment, and the person so appointed shall hold office until the first day of February in the year of the next biennial session of the general assembly, at which time such vacancies shall be filled for the unexpired term thereof by the governor with the advice and consent of the senate. The terms of office of members of the State board of health, as constituted prior to the passage of this act, shall terminate as soon as said two members of said board are appointed and qualified as provided by this section.

SEC. 2. Section 5411 of the public statutes as amended by section 1 of No. 153 of the acts of 1908, by section 1 of No. 214² of the acts of 1912, by section 1 of No. 191 of the acts of 1915 and by section 1 of No. 192³ of the acts of 1915, is hereby amended so as to read as follows:

SEC. 5411. The governor and said two members shall appoint a third member of said board, who shall hold office until his successor is appointed and qualified. The member so appointed shall be a reputable practicing physician of the State and shall act as secretary of said board and be its executive officer. Said board may, subject to the approval of the board of control, appoint such sanitary engineers and inspectors as may be necessary to carry out the duties of said board. The salaries of said secretary, engineers and inspectors shall be fixed by said board, subject to the approval of the board of control. Not more than \$7,500 shall be expended annually for the payment of salaries and necessary expenses of said secretary, engineers and inspectors incurred in the discharge of their official duties.

SEC. 3. Section 6166 of the public statutes is hereby amended so as to read as follows:

SEC. 6166. Each member of the State board of health, appointed by the governor with the advice and consent of the senate, shall receive \$4 per day for services rendered, and necessary expenses; and the office expenses, telephone and the necessary clerical assistance of the secretary of said board shall be paid by the State when accounts therefor have been approved by said board, but the entire expense of said board of health, including such clerical assistance, office expenses and telephone of said secretary, but not including the salaries and expenses authorized by section 5411 of the public statutes shall not exceed \$7,000 for any biennial term, except in cases of extraordinary public peril, when the governor may order said board to perform services in excess of such sum. The auditor of accounts shall, at the beginning of each quarter of the biennial term and upon the requisition of said board, draw an order in favor of the said board for \$875; and such sum shall be accounted for by proper vouchers to said auditor quarterly, as the same may be expended by said board; and any balance thereof and payments not expended shall be returned to the State treasurer biennially on or before the 31st day of January.

¹ Pub. Health Repts. Reprint 338, p. 535.

² Pub. Health Repts. Reprint 200, p. 197.

³ Pub. Health Repts. Reprint 338, p. 534.

SEC. 4. Section 5422 of the public statutes as amended by section 164 of No. 1 of the acts of 1915 is hereby amended so as to read as follows:

SEC. 5422. Said secretary shall superintend the performance of the work of said board, and shall perform such other duties as said board directs. He shall, in case of epidemic, contagious diseases, or other unusual sickness, at the request of the health officer or local board of health, render such assistance as he deems necessary. He shall, from the reports required to be made to him, issue in each even year registration reports, and shall, in the month of July in each even year make a report to the governor of the work done by said board during the preceding two years, and of the investigations and discoveries of said board, and other important facts in regard to the causes and prevalence of infectious diseases and such other matter and recommendations as seem pertinent. He shall furnish health officers suitable blanks upon which to make reports of infectious and contagious diseases, also blanks for physicians to report to health officers, shall include therein questions necessary to give the information desired, and may require special information of the health officer not provided for in such blanks.

SEC. 5. Section 5410 of the public statutes as amended by section 163 of No. 1 of the acts of 1915 and No. 493 of the acts of 1912 are hereby repealed.

Local Health Officers—Powers and Duties—Regulations by Local Boards of Health.
(Act 194, Mar. 19, 1917.)

SECTION 1. Section 5436 of the public statutes as amended by section 1 of No. 217 of the acts of 1910 is hereby amended so as to read as follows:

SEC. 5436. Said health officer shall make sanitary inspections whenever and wherever he has reason to suspect that anything exists, which may be detrimental to the public health. He may enter any house or other building or place for the purpose of making such inspections. He shall, in writing, order the destruction or removal within a specified time of nuisances, sources of filth or causes of sickness; and shall in all things conform to the rules and regulations of the State board of health, issued under sections 5419 and 5420 of the public statutes.

SEC. 2. Said health officer may order churches, schools, and all places of public entertainment to be closed and may forbid and prevent the assembling of people in any place when the State board of health deems that the public health and safety so demand, and provided that said State board so certifies to said health officer. Such orders shall remain in force until vacated by a written order, signed by the secretary of the State board or by said health officer.

SEC. 3. The local board of health in a town or city may make and enforce rules and regulations in such town or city relating to the protection of the public against contagious and infectious diseases and the cause, development and spread of any disease, provided such rules and regulations have the approval of the State board of health.

SEC. 4. A person or corporation neglecting or refusing to comply with a written order of the health officer, issued in conformity with the provisions of this act, shall be fined not less than \$25 for each offense.

State Tuberculosis Hospitals or Wards—Establishment and Regulation. (Act 195, Apr. 7, 1917.)

SECTION 1. The State may establish tuberculosis hospitals, or it may establish wards for the treatment of tuberculosis patients in connection with any hospital in the State, when in the opinion of the governor and the State board of health there is need for such hospitals or wards.

SEC. 2. If the governor and State board of health decide to establish tuberculosis hospitals or wards, the governor shall forthwith appoint three trustees for such hospitals or wards. Not more than one of such trustees shall be a physician. The terms

of the trustees first appointed shall be for 1, 2, and 3 years, respectively, and annually thereafter the governor shall appoint one trustee for a term of 3 years. Said trustees shall receive their necessary expenses and \$4 per day for time necessarily spent in the performance of their duties.

SEC. 3. Said trustees shall have charge of the construction, operation, and maintenance of such hospitals or wards as shall be established under the provisions of this act, and they may, subject to the approval of the State board of health, make such regulations relating thereto as may be necessary.

SEC. 4. Persons suffering from tuberculosis may be received in any hospital or ward established by the State under the provisions of this act under such regulations as the board of trustees may prescribe. The expense of caring for such persons shall be met by payments under the provisions of No. 219 of the acts of 1912, and amendments thereto: *Provided, however,* That the board of trustees may make such regulations as they deem proper for the admission of private patients and patients able to pay a part of the expense only, the payment of the remainder to be made under the provisions of No. 219 of the acts of 1912, and amendments thereto: *And provided further,* That the payments by the State for the care of any patient shall in no case exceed \$10 per week.

SEC. 5. The board of trustees of tuberculosis hospitals and wards, or if no such board has been appointed, the State board of health may, with the approval of the governor, receive by gift, devise or otherwise, real and personal property, and may hold and use the same, subject to the provisions of the deed or other instrument of gift, for the purposes of this act.

SEC. 6. The sum of \$20,000 is hereby appropriated for the period ending June 30, 1919, for the establishment of tuberculosis hospitals and wards under the provisions of this act.

County Tuberculosis Hospitals—Establishment and Maintenance. (Act 96, Mar. 27, 1917.)

SECTION 1. A county may, in accordance with the provisions of this act, provide a hospital for the care of persons residing therein who are or may be suffering from tuberculosis. Two or more counties may unite for the purpose of establishing and supporting such hospital.

SEC. 2. Whenever 100 or more qualified voters in a county shall, in writing, petition the county clerk that they desire that the county in which they reside shall vote whether such county shall accept the provisions of this act, said clerk shall direct the town clerks of the several towns in such county to insert in the warning for the next annual meeting a notice on [in?] the following form: Shall county establish a tuberculosis hospital and issue its bonds therefor in accordance with the provisions of an act of the general assembly of 1917, entitled "An act to provide for the establishment of county hospitals for tuberculosis?"

SEC. 3. The vote upon such question shall be by ballot in the following form: Shall county establish a tuberculosis hospital and issue its bonds therefor in accordance with the provisions of an act of the general assembly of 1917, entitled "An act to provide for the establishment of county hospitals for tuberculosis?"

Yes

☐

No

☐

and the voter shall make a cross (X) against the answer he desires to give. Such ballots shall be prepared by the county clerk and furnished to the town clerks in such county at least 5 days before the annual meeting.

SEC. 4. The town clerks of the several towns shall, within 5 days, certify to the county clerk the result of such vote. Within 15 days after such annual town meeting, the county clerk of the county shall canvass such vote and report the result thereof to the clerks of the several towns. If a majority of the votes is in favor of establishing such hospital, the county clerk shall so report to the governor.

SEC. 5. The governor shall thereupon appoint from the residents of such county three trustees, not more than one of whom shall be a physician. The terms of the trustees first appointed shall be for 1, 2 and 3 years, respectively, and annually thereafter the governor shall appoint one trustee for a term of 3 years.

SEC. 6. Said trustees shall be a corporation by the name of the trustees of the tuberculosis hospital of the county for which they are chosen and shall possess the usual powers of a corporation for public purposes, and may receive and hold real and personal property by gift, devise or purchase.

SEC. 7. Said trustees shall receive from the State \$4 per day for time necessarily spent and their actual expenses, but such per diem and expenses shall not exceed \$100 a year each.

SEC. 8. The trustees, with the advice and consent of the governor and the approval of the State board of health, shall determine upon the location of such hospital, the plans therefor and the amount, not to exceed \$70,000, to be expended. The trustees shall make all necessary contracts for establishing and equipping such hospital.

SEC. 9. A hospital established under the provisions of this act, shall be subject to the regulations prescribed by the trustees, with the advice and consent of the State board of health, and shall, subject to such regulations, receive and treat persons suffering from tuberculosis, and be open to the public.

SEC. 10. To meet the cost incident to the establishment of a hospital under the provisions of this act, a county may issue its negotiable bonds for an amount not to exceed \$70,000. Such bonds shall be in serial form, payable at the rate of \$2,000 per year, and shall bear interest at a rate not to exceed 4½ per cent. Such bonds shall be signed by the county clerk and countersigned by the assistant judges of the county court.

SEC. 11. For the purpose of retiring bonds and paying the interest thereon, there shall annually be assessed, for a period not to exceed 50 years, a tax of 3 cents on a dollar of the grand list.

SEC. 12. Such tax shall be collected by the several towns of the county in the manner now provided by law for the collection of town taxes and shall be paid over by the treasurers of the several towns, on or before the first day of December in each year, to the treasurer of the county maintaining such hospital.

SEC. 13. The expense of caring for patients receiving treatment in such hospital shall be met by payments under the provisions of No. 219 of the acts of 1912, and amendments thereto: *Provided, however,* That the board of trustees may make such regulations as they deem proper for the admission of private patients and patients able to pay a part of the expense only, payment of the remainder to be under the provisions of No. 219 of the acts of 1912, and amendments thereto: *And provided further,* That the payments by the State for the care of any patient shall in no case exceed \$10 per week. The trustees of such hospital shall quarterly make out and forward to the auditor of accounts a sworn statement of the number of patients treated and the number of weeks such patients received treatment during the preceding quarter, and the auditor shall draw an order in favor of such trustees.

SEC. 14. Two or more counties may unite for the purpose of providing such a hospital to care for persons residing therein. When 100 voters of each of such counties join in a petition in duplicate or triplicate, as the case may be, addressed to the county clerks of such counties, provision for voting on the question shall be made and the voting done as prescribed in sections 2 and 3 of this act, except that in such vote the ballot shall read as follows: Shall and counties jointly establish a tuberculosis hospital and issue their joint bonds therefor in accordance with the pro-

visions of an act of the general assembly of 1917, entitled "An act to provide for the establishment of a county hospital for tuberculosis?" The ballots provided for in section 3 of this act shall be prepared by the respective county clerks and furnished to the town clerks in their respective counties at least 5 days before the annual meeting. If a majority of the votes in each of such counties is in favor of establishing such a hospital, the governor shall appoint 5 trustees, residents of such counties, not more than two of whom shall be physicians, whose term shall be the same as designated in section 5 of this act. Sections 4, 6, 7, 8, 9, 10, 11, 12 and 13 of this act shall apply to such a union of counties, except that each county shall be liable, as between it and the other counties in the union, for such proportion of the bond issue as its grand list bears to the total grand list of the counties so voting. Bonds issued by such a union of counties shall be signed by the county clerks of such counties and countersigned by the assistant judges of the respective county courts.

Foodstuffs—Misbranding. (Act 198, Feb. 24, 1917.)

SECTION 1. Section 5472 of the public statutes is hereby amended so as to read as follows:

SEC. 5472. For the purposes of this chapter, an article of food shall be deemed to be misbranded if it is an imitation of or offered for sale under the distinctive name of another article; or if it is labeled or branded so as to deceive or mislead the purchaser, or purports to be a foreign product when not so; or if the contents of the package originally put up have been removed in whole or in part and other contents have been placed in such package; or if it fails to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate or acetanilide, or any derivative or preparation of any substance contained therein; or if in package form, the quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count: *Provided, however,* That reasonable variations shall be permitted, and tolerances and also exemptions as to small packages shall be established by rules and regulations made in accordance with the provisions of section 5476 of the public statutes; or if the package containing it or its label bears any statement, design, or device regarding the ingredients or the substances contained therein, which is false or misleading in any particular.

Food Products—Standards of Purity—Sale. (Act 201, Mar. 2, 1917.)

SECTION 1. The standards of purity for food products, except as otherwise provided by statute, shall be those adopted and now in use by the United States Department of Agriculture as authorized by acts of Congress approved June 3, 1902, and March 3, 1903, as promulgated by such department by circular 19 issued in pursuance of such acts, and such standards as may hereafter be adopted or promulgated by such department pursuant to such authority.

SEC. 2. A person shall not sell or offer for sale food products that do not conform to the standards aforesaid, after having received notice from the State board of health forbidding such sale: *Provided, however,* That food products that do not conform to such standards may be sold correctly and accurately labelled if such sale does not conflict with chapter 226 of the public statutes.

SEC. 3. A person who violates a provision of this act shall be imprisoned not more than 6 months or fined not more than \$100 nor less than \$5, or both.

Food Establishments—Sanitary Regulation—Employees. (Act 200, Feb. 24, 1917.)

SECTION 1. No person shall manufacture, prepare, pack, can, bottle, keep, store, handle, serve, or distribute, in any manner, food, for the purpose of sale, in an unclean unsanitary, or unhealthful establishment, or, under unclean, unsanitary, or unhealthful conditions.

SEC. 2. Each establishment, subject to the provisions of this act, shall be constructed, maintained, and operated with strict regard for the health of the employees and for the purity and wholesomeness of the food therein produced, kept, stored, handled, served, or distributed, so far as may be reasonable and necessary in the public interest and consistent with the character of the establishment, pursuant to the following general requirements:

1. The entire establishment and its immediate appertaining premises, including the fixtures and furnishings, the machinery, apparatus, implements, utensils, receptacles, vehicles, and other devices used in the production, keeping, storing, handling, serving or distributing of the food, or of the materials used in the food, shall be constructed, maintained, and operated in a clean, sanitary and healthful manner;

2. The food and the materials used in the food shall be protected from any foreign or injurious contamination which may render them unfit for human consumption;

3. The clothing, habits, and conduct of the employees shall be conducive to and promote cleanliness, sanitation and healthfulness;

4. There shall be proper, suitable, and adequate light, ventilation, drainage and plumbing;

5. There shall be proper, suitable, and adequate toilets and lavatories, constructed, maintained, and operated in a clean, sanitary, and healthful manner.

SEC. 3. No employer shall require, permit, or suffer any person affected with any contagious, infectious, or other disease or physical ailment which may render such employment detrimental to the public interest, to work in any such establishment, and no person, so affected, shall work in any such establishment, subject to the provisions of this act, and pursuant to the provisions of section 4.

SEC. 4. The State board of health may require any person proposing to work, or working in, an establishment, subject to the provisions of this act, to undergo a physical examination, for the purpose of ascertaining whether said person is affected with any contagious, infectious or other disease or physical ailment, which may render the employment detrimental to the public interest. The examination shall be made at the time and pursuant to the conditions duly defined by the State board of health. No person who refuses to submit to such examination shall work or be required, permitted, or suffered to work in any such establishment.

SEC. 5. The State board of health shall be charged with the duty of enforcing the provisions of this act.

SEC. 6. The State board of health through its duly authorized officers, inspectors, agents, or other assistants, shall be permitted, at all reasonable times, to inspect any establishment, or part thereof, subject to the provisions of this act, together with its operation.

SEC. 7. If, as the result of an inspection provided for in section 6 of this act, it appears that any establishment is being maintained or operated in violation of any of the provisions of this act, the State board of health shall cause written notice thereof to be served upon the person violating such provisions, together with an order commanding an abatement of such violation and a compliance with this act within a reasonable period of time stated in the order. Any person upon whom such notice and order is served shall be given an opportunity to be heard and to show cause why such order should be vacated or amended, under such rules and regulations as may be fully prescribed. If, as a result of such hearing, it appears that the provisions of this act have not been violated, then the State board of health shall immediately vacate such order, without prejudice. If, however, after such hearing, it still appears that the provisions have been violated, and, upon a failure to comply with such order, in its original or amended form, within the reasonable time therein stated, then the State board of health shall, at once, certify the facts to the proper prosecuting attorney.

SEC. 8. The State board of health shall make uniform and necessary rules and regulations for carrying out the provisions of this act.

SEC. 9. The word "food," as used in this act, shall include all articles used for food, drink, confectionery, or condiment by man, whether simple, mixed, or compound, and all substances and ingredients used in the preparation thereof. The word "establishment," as used herein, shall include all buildings, rooms, basements, cellars, lofts, or other premises, or part thereof, used, occupied, or maintained for the purpose of manufacturing, preparing, packing, canning, bottling, keeping, storing, handling, serving, or distributing, in any manner, food for sale. The word "person," as used in this act, shall extend and be applied to a partnership, association, company, or corporation and to an individual.

SEC. 10. A person who violates a provision of this act shall be fined not more than \$300 for the first offense, and, for each subsequent offense, not more than \$500.

Milk—Standard of, as Paying Basis in Creameries and Cheese Factories. (Act 182, Mar. 21, 1917.)

SECTION 1. Section 4928 of the public statutes is hereby amended so as to read as follows:

SEC. 4928. Milk containing 3.7 per cent of butter fat shall be the standard used as a paying basis in creameries and cheese factories.

Creameries, Cheese Factories, Condensaries, and Receiving Stations for Milk and Cream—Inspection—Correction of Insanitary Conditions—Inspection of Dairies. (Act 184, Mar. 14, 1917.)

SECTION 1. Section 1 of No. 179¹ of the acts of 1912 is hereby amended so as to read as follows:

SECTION 1. The commissioner of agriculture shall, at least twice each year, inspect or cause to be inspected, as to their sanitary condition, all creameries, cheese factories, condensaries or receiving stations for milk or cream, and shall require the correction of all insanitary conditions and practices found therein. While so doing, he shall take cognizance of the condition in which milk or cream is delivered. If he has reason to believe that such milk or cream, or part thereof, is produced and kept under insanitary conditions he shall inspect, or cause to be inspected, the dairy and premises of the producer of such milk or cream, and shall make such recommendations and orders as in his judgment will improve such milk or cream to a medium standard. In case his orders or recommendations are not complied with he may order, in writing, the owner, operator or manager of such creamery, cheese factory, condensary or receiving station receiving such milk or cream and the owner, operator or manager of neighboring creameries, cheese factories, condensaries and receiving stations, to refuse to receive the milk or cream from such dairy until permitted so to do by order of said commissioner.

SEC. 2. Section 2 of No. 179 of the acts of 1912 is hereby amended so as to read as follows:

SEC. 2. An owner or proprietor of a creamery, cheese factory, receiving station or condensary who disobeys such order, or who fails to comply with the provisions of this act, shall be fined not more than \$50 for each violation.

Ice Cream—Standards of Purity and Quality—Sale. (Act 202, Mar. 2, 1917.)

SECTION 1. The standard of purity and quality for ice cream shall be as follows:

Ice cream, a frozen product made from cream and sugar, with or without gelatine and a natural flavoring and containing not less than 14 per cent of milk fat;

Fruit ice cream, a frozen product made from cream, sugar, and sound, clean, mature fruits, with or without pure gelatine and containing not less than 12 per cent of milk fat;

¹ Pub. Health Repts. Reprint 200, p. 197.

Nut ice cream, a frozen product made from cream, sugar, and sound, nonrancid nuts, with or without pure gelatine and containing not less than 12 per cent milk fat.

SEC. 2. An article of food marked, labeled, branded, named or called ice cream shall not be sold or offered for sale unless it shall conform to the standard established by this act.

SEC. 3. Articles of food frozen in the form of ice cream, but not conforming to the standards established by this act, may be sold or offered for sale under any fancy, descriptive, or trade name whatsoever, except that the words "ice cream" or "cream" shall not be a part of such name; nor appear, or be used in any manner whatsoever in connection with such product or the sale thereof.

SEC. 4. A person who violates a provision of this act shall be fined not more than \$200.

Meat—Inspection. (Act 196, Mar. 21, 1917.)

SECTION 1. The State board of health or a local board may appoint inspectors who shall at the request of the shipper inspect meat intended for interstate shipment. Said inspector shall receive therefor a fee of 25 cents for the first animals inspected up to five and 5 cents for each animal in excess of five and 10 cents a mile each way for his travel, to be paid by the person requesting such inspection. The State board of health shall make necessary rules and regulations relating to such inspection and the marking of animals so inspected.

Drug Addicts and Dipsomaniacs—Commitment to Institutions for Treatment. (Act 114, Mar. 30, 1917.)

SECTION 1. Section 3736 of the public statutes as amended by section 1 of No. 121 of the acts of 1910, section 1 of No. 134 of the acts of 1912 and section 1 of No. 124 of the acts of 1915 is hereby amended so as to read as follows:

SEC. 3736. When a person becomes an habitual drunkard or dipsomaniac, or so addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control, the probate court for the district in which he resides or is domiciled, shall, on application of the selectmen of the town where he resides or is domiciled, or any of his relatives, upon reasonable notice to such person, make inquiry; and, if it finds him to be an habitual drunkard or dipsomaniac, or so far addicted to the intemperate use of narcotics or stimulants as to have lost the power of self-control, shall order such person committed for 1 year to an institution in this State where he can receive special treatment for such condition, or shall order him committed to the care, custody and control of some suitable person for a similar period; but, if such person is committed to an institution in this State, the supervisors of the insane may, in their discretion, give him a conditional discharge at the expiration of 4 months, and a revocation of such conditional discharge by the board of supervisors at any time thereafter until the expiration of the term of commitment shall be sufficient warrant for the return of such person to the institution from which he was discharged, there to remain until the expiration of the full term of 1 year from the date of the original commitment; and if such person is indigent and such fact is so certified to by the selectmen of his town, the expense of commitment and treatment and all necessary expense of transportation to such institution and from such institution to the town from which he was committed at the time of his discharge or at the expiration of the term of commitment, shall be borne by the State; but in the event of the death of such indigent person while an inmate of such institution, the expense of removal and burial shall be borne by the town from which he was committed.

SEC. 2. Section 5 of No. 121 of the acts of 1910 is hereby amended so as to read as follows:

SEC. 5. The estate of any person who is committed to or received by any institution or person under this act shall be liable for his support therein and the expenses of

any proceedings provided by this chapter, which shall be paid in the manner and by and to the person that the court before whom the case is heard, orders, and such court may issue execution for such expenses accordingly.

SEC. 3. Section 3 of No. 121 of the acts of 1910 is hereby amended so as to read as follows:

SEC. 3. Any institution established by the laws of this State or operating under State regulation may receive any drug habitue, habitual drunkard or dipsomaniac who applies to be received as a private patient into such institution for medical treatment. The term of such voluntary commitment shall be not less than 1 month for alcoholism and not less than 4 months for the drug habit. The term of commitment and the fee to be paid for the same shall be definitely determined and agreed to in writing by the applicant at the time of admission. The superintendent of such institution may hold and restrain such voluntary patient for the term agreed upon at the time of such voluntary commitment in the same manner as though he was committed by the probate court.

SEC. 4. Section 3739 of the public statutes is hereby amended so as to read as follows:

SEC. 3739. A person admitted to an institution under this chapter shall be subject to the rules and moral, medical and sanitary treatment thereof until discharged or the term of his commitment expires.

SEC. 5. Section 2 of No. 121 of the acts of 1910 is hereby repealed.

Preparations Containing Wood Alcohol—Sale for Human Use Prohibited. (Act 242, Feb. 14, 1917.)

SECTION 1. A person shall not sell, offer or expose for sale or have in his custody, possession or control with intent to distribute or sell any commodity, food, drug, preparation or mixture of any kind whatsoever intended for internal use, which contains methyl or wood alcohol. A person shall not sell, offer or expose for sale or distribution, or have in his custody, possession or control with intent to distribute, sell or furnish, or use upon or apply to the body of another, any drug, hair tonic, bay rum or similar preparation intended for external use, which contains methyl or wood alcohol: *Provided, however,* That nothing in this act shall apply to veterinary remedies containing methyl or wood alcohol when such remedies are plainly and distinctly labeled in such manner as to indicate that they are intended solely for external use on animals.

SEC. 2. A person who violates a provision of this act shall be fined not more than \$100 nor less than \$5, or imprisoned not more than 3 months.

Deaths—Penalty for Failure of Physician to Register within 36 Hours. (Act 93, Feb. 7, 1917.)

SECTION 1. Section 3310 of the public statutes is hereby amended so as to read as follows:

SEC. 3310. A physician who fails to furnish a certificate of death within 36 hours after the death of a human being, giving a true statement of the cause of such death, and all the other facts provided for in the blank form for death certificates, so far as these facts are obtainable, shall be fined not less than \$10 to the use of the town where such death occurs: *Provided, however,* That if the physician in attendance is unable to give the cause of death this fact shall be reported to the health officer if there is one, otherwise to a member of the local board, who shall then follow the requirements of the last preceding section.

Barber Shops—Sanitary Regulation. (Act 197, Mar. 23, 1917.)

SECTION 1. Section 1 of No. 196¹ of the acts of 1915 is hereby amended so as to read as follows:

SECTION 1. The State board of health shall annually between the first day of January and the first day of June beginning in the year 1917 promulgate through the secretary of said board the following regulations for the management of barber shops and during the months of April and May shall annually send to the proprietor, keeper or person in charge of each barber shop in the State a certified copy of such regulations together with specific instructions as to the method of carrying out such regulations.

(1) Mugs, shaving brushes, razors, tweezers, needles and lances shall be sterilized by immersion in boiling water or in some sterilizing solution before every separate use thereof; and hair brushes, combs, and neck dusters shall be sterilized each morning and shall be kept in a cleanly condition at all times.

(2) Fresh clean towels shall be used for each person.

(3) Alum or other material used to stop the flow of blood shall be used only in liquid or powdered form.

(4) Powder puffs and sponges shall not be used.

(5) Every barber shop shall be provided with hot water.

(6) Every barber shall keep his hands thoroughly cleansed.

(7) The headrest of every barber's chair shall be protected with clean paper before serving any customer.

SEC. 2. The auditor of accounts is hereby authorized to draw his order for all moneys expended by the secretary of said State board of health in carrying out the provisions of this act, upon the presentation of proper vouchers.

SEC. 3. The proprietor, keeper or person in charge of a barber shop in this State shall post in a conspicuous place in said shop a copy of the regulations furnished by the secretary of the State board of health.

SEC. 4. Section 3 of No. 196 of the acts of 1915 is hereby amended so as to read as follows:

SEC. 3. A person who violates any of the regulations herein prescribed shall be fined not more than \$100 nor less than \$5 for each offense.

SEC. 5. Section 2 of No. 196 of the acts of 1915, is hereby repealed.

SEC. 6. This act shall take effect on the first day of April, 1917.

¹Pub. Health Repts. Reprint 338. p. 541.

WASHINGTON.

Communicable Diseases—Notification of Cases—Investigation by Health Officers—Quarantine—Placarding—Disinfection—Control Measures—Attendance at Schools and Public Gatherings—Closing and Disinfection of Schools—Sale and Handling of Milk and Food Products—Common Carriers—Burial. (Reg. Bd. of H., Oct. 4, 1917.)

REGULATION 1. Diseases designated as "contagious and infectious."—The following diseases are hereby declared to be "dangerous, contagious and infectious diseases":

Actinomycosis, amebic dysentery, anterior poliomyelitis (infantile paralysis), anthrax, Asiatic cholera, chicken pox, diphtheria, membranous croup, echinococcus disease, epidemic cerebrospinal meningitis, favus, German measles, glanders, Japanese lung fluke disease, leprosy, malaria, measles, ophthalmia neonatorum, pellagra, plague, pulmonary and laryngeal tuberculosis, rabies, relapsing fever, Rocky Mountain tick or spotted fever, scarlet fever, scarlatina or scarlet rash, smallpox, trachoma, trichinosis, typhoid fever, paratyphoid fever, typhus fever, uncinariasis or hookworm disease, whooping cough, yellow fever, and all cases of so-called cedar, Cuban, dobe, Egyptian, Japanese, kangaroo, Manila or Philippine itch.

REG. 2. Physicians must report in writing.—The above mentioned diseases must be reported in writing within 24 hours by the attending physician to the health officer within whose jurisdiction they occur. The report shall be made on blank forms provided by the State board of health and shall specify the following particulars: Name of patient, age, sex, residence, occupation, diagnosis or disease suspected, probable source of infection, date of exposure and date of onset of the disease. When any person is suspected of suffering from any disease mentioned above such fact must be reported to the health officer within 24 hours.

REG. 3. Practitioners other than physicians must report communicable diseases.—Any person who shall treat, attend or administer to the sick by any means, material or immaterial, and who shall be called upon to attend, treat or administer to any person suffering from any disease mentioned in regulation 1 of these regulations, shall within 24 hours report such case to the health officer having jurisdiction, and such report shall be made in writing and shall set forth the information required in regulation 2 of these regulations.

REG. 4. Householder must report.—Any householder, or hotel or lodging house keeper who knows or has reason to suspect that any person on the premises under his or her control is afflicted with any contagious or infectious disease, he or she shall report such fact, within 24 hours, to the health officer having jurisdiction, and such report shall be made by the most direct means available.

REG. 5. Nurses must report communicable diseases.—When any school nurse, visiting nurse, or any nurse employed in any official capacity, or any nurse attending any person not under the care of a legally qualified physician, shall know or have reason to suspect that any person coming under her observation is afflicted with any contagious or infectious disease, she shall immediately report such fact to the health officer having jurisdiction, and such report shall be made by the most direct means available.

REG. 6. Health officer must investigate.—When any contagious or infectious disease is reported to a health officer, or when he has reason to suspect that such disease exists within his district, he shall make a thorough investigation, if necessary, (any case not reported by a legally qualified physician requires investigation) and if such

disease is found to exist he shall take such steps as are required by the laws of the State and by these regulations. If upon investigation the health officer shall find that a disease for which quarantine is required has recently existed on any premises within his district, he shall place such premises under quarantine until the expiration of the incubation period and until such premises have been disinfected as required for the specific disease.

REG. 7. *Quarantine must be established by the health officer or his assistant.*—When any contagious or infectious disease for which quarantine is required is reported to any health officer, he shall, in person or through his duly appointed assistant, place the premises where such disease exists under quarantine in the manner prescribed by these regulations.

REG. 8. *Provisional quarantine.*—When any case is reported to a health officer as suspected of being a contagious or infectious disease for which quarantine is required by these regulations, the health officer shall place the premises where such disease exists, or is suspected, under provisional quarantine in the following manner: A card bearing the words "Provisional quarantine. Keep out," printed in letters not less than 2½ inches in height, shall be securely attached to each entrance to the premises and the head of the house instructed that the premises are under quarantine and will remain so until the nature of the disease shall have been determined. If the case prove to be one requiring quarantine the provisional sign shall be removed and the regular quarantine sign installed. If the case prove to be one not requiring quarantine the sign shall be removed and the quarantine released.

REG. 9. *Health officer must supervise disinfection.*—All disinfection for a disease requiring quarantine shall be done under the supervision of the health officer or his assistant. All disinfection shall be carried out in the manner prescribed by these regulations.

SMALLPOX.

REG. 10. (a) *House must be placarded.*—The State board of health does not require an absolute quarantine for smallpox, being convinced that vaccination is the only rational method of preventing this disease. The requirements of the State board of health are: When a case of smallpox is reported to a health officer he shall place a sign bearing the words "Smallpox here" on each entrance to the house where the disease exists. Any person suffering from smallpox is prohibited from leaving the premises until desquamation is completed.

(b) *Cities and counties may quarantine.*—Cities have authority to pass ordinances and county boards of health may make regulations requiring more rigid quarantine for smallpox, but until such ordinances have been enacted and until such regulations have been adopted by the county board of health and approved by the State board of health, no local or county health officer has authority to enforce more rigid quarantine for smallpox than is provided under regulation 9, paragraph (a).

CHICKEN POX.

REG. 11. (a) *Chicken pox in adults.*—When any adult person is found to be suffering from chicken pox the same quarantine measures shall be complied with as are required for smallpox.

(b) *Chicken pox in children.*—When chicken pox is found to exist on any premises no child from such premises shall be permitted to attend any school (public, private or parochial or church), or any place of public gathering until the last case on the premises shall have recovered. The health officer shall cause to be firmly attached to each entrance to the building a card bearing the words "Chicken pox here. Keep out," in letters not less than 2½ inches in height, and such card shall not be removed by any person except the health officer or his duly authorized agent, and not by him until the last case on the premises has entirely recovered from the disease.

DIPHTHERIA OR MEMBRANOUS CROUP.

REG. 12. (a) *Absolute quarantine required.*—Whenever a case of diphtheria is found to exist the premises shall be quarantined in the following manner: No person except the attending physician (and in case of death a licensed undertaker) shall be permitted to enter or leave the premises until the quarantine shall have been raised by the health officer or his assistant. The health officer shall cause to be securely attached to each entrance to the premises under quarantine a card upon which is printed the name of the disease and the words "Keep out" in letters not less than 2½ inches in height, and the words "This place is quarantined in accordance with law, by order of the health officer." This card must not be removed by any person except the health officer or his authorized assistant, and not by him until the premises have been thoroughly disinfected.

(b) *Period of quarantine.*—The period of quarantine shall be six weeks: *Provided*, That when two cultures taken on consecutive days from the pharynx and nasal passages, the last of which must be taken by the health officer or his assistant, show an absence of Klebs-Loeffler bacillus, the quarantine may be raised by the health officer.

(c) *Exposed persons.*—All persons exposed to diphtheria or membranous croup must be quarantined for a period of 10 days after the date of last exposure: *Provided*, That such exposed persons may be released from quarantine when a culture from the pharynx and nasal passages show an absence of Klebs-Loeffler bacillus.

(d) *Articles used in the sick room.*—All bedding, clothing, dishes and other articles used in the sick room must be disinfected before removal from the room. For this purpose a solution of formalin, carbolic acid or boiling water may be used.

(e) *Protection of school children.*—No person who has been exposed to diphtheria shall be permitted to enter any school building (public, private, parochial or church) or any place of public resort, for a period of 10 days from the date of last exposure.

(f) *Disinfection of premises.*—At the end of the period of quarantine the premises must be thoroughly disinfected by or under the supervision of the health officer. The disinfection shall consist in thorough fumigation with formaldehyde gas, using not less than 16 ounces of a 40 per cent solution for each 1,000 cubic feet of air space in the house to be disinfected. All outside doors and windows must be securely closed and all cracks and openings sealed. The temperature of the air in the room must not be less than 68 degrees F. All bedding, clothing, books, etc., must be so arranged that the gas may reach all parts of them that may have been exposed. After fumigation, all woodwork must be washed with an antiseptic solution and all walls and ceilings wiped with a cloth moistened with such solution. Articles of little value that have been handled by the patient should be burned.

(g) *Disinfection of persons.*—No person shall be released from quarantine, whether as a result of negative culture or at the end of the period of quarantine, until such person shall have taken a disinfectant bath (1-5,000 bichloride) and has put on disinfected or unexposed clothing.

(h) *Health officer has discretion.*—Under no circumstances shall quarantine be raised until the health officer has satisfied himself that there is no longer danger of the spread of the disease by any person on the premises under quarantine: *Provided*, That in case of disagreement between the attending physician and the local health officer, either may appeal to the State commissioner of health and the opinion of said commissioner shall be final.

(i) *Milk, milk products, and milk containers.*—No milk or milk products shall be sold or removed from any premises under quarantine for diphtheria. No milk bottle or other vessel used for the delivery of milk shall be removed from any premises under quarantine for diphtheria until the quarantine has been raised and such vessels disinfected by boiling.

(j) *Common carriers.*—No person suffering from or exposed to diphtheria or membranous croup shall be permitted to travel on any common carrier.

SCARLATINA, SCARLET FEVER, SCARLET RASH.

REG. 13. (a) *Absolute quarantine required.*—Whenever a case of scarlatina, scarlet fever or scarlet rash is found to exist the premises shall be quarantined in the following manner: No person except the attending physician (and in case of death a licensed undertaker) shall be permitted to enter or leave the premises until the quarantine shall have been raised by the health officer or his assistant. The health officer shall cause to be securely attached to each entrance to the premises under quarantine a card upon which is printed the name of the disease and the words "Keep out" in letters not less than 2½ inches in height, and the words "This place is quarantined in accordance with law, by order of the health officer." This card must not be removed by any person except the health officer or his authorized assistant, and not by him until the premises have been thoroughly disinfected.

(b) *Period of quarantine.*—The period of quarantine shall not be less than three weeks: *Provided*, That no person shall be released from quarantine on account of scarlet fever, scarlatina or scarlet rash until desquamation has been completed and all discharges from the nose, throat and ears have ceased: *And, provided further*, That when there is a chronic discharge from the ear, quarantine may be raised when such discharge, on examination by the State or city bacteriologist, shows an absence of streptococci.

(c) *Exposed persons.*—All persons exposed to scarlet fever, scarlatina or scarlet rash, must be quarantined for a period of 10 days after the date of last exposure: *Provided*, That persons who have had the disease may be released from quarantine after thorough disinfection, as provided in paragraph (g) of this regulation.

(d) *Articles used in the sick room.*—All bedding, clothing, dishes and other articles used in the sick room must be disinfected before removal from the room. For this purpose a solution of formalin, carbolic acid or boiling water may be used.

(e) *Protection of school children.*—No person who has been exposed to scarlet fever, scarlatina or scarlet rash shall be permitted to enter any school building (public, private, parochial or church) or any place of public resort, for a period of 10 days from the date of last exposure.

(f) *Disinfection of premises.*—At the end of the period of quarantine the premises must be thoroughly disinfected by or under the supervision of the health officer. The disinfection shall consist in thorough fumigation with formaldehyde gas, using not less than 16 ounces of a 40 per cent solution for each 1,000 cubic feet of air space in the house to be disinfected. All outside doors and windows must be securely closed and all cracks and openings sealed. The temperature of the air in the rooms must not be less than 68 degrees F. All bedding, clothing, books, etc., must be so arranged that the gas may reach all parts of them that may have been exposed. After fumigation all woodwork must be washed with an antiseptic solution and all walls and ceilings wiped with a cloth moistened with such solution. Articles of little value that have been handled by the patient should be burned.

(g) *Disinfection of persons.*—No person shall be released from quarantine, whether as a result of negative culture or at the end of the period of quarantine, until such person shall have taken a disinfectant bath (1-5,000 bichloride) and has put on disinfected or unexposed clothing.

(h) *Health officer has discretion.*—Under no circumstances shall quarantine be raised until the health officer has satisfied himself that there is no longer danger of the spread of the disease by any person on the premises under quarantine: *Provided*, That in case of disagreement between the attending physician and the local health officer, either may appeal to the State commissioner of health and the opinion of said commissioner shall be final.

(i) *Milk, milk products and milk containers.*—No milk or milk products shall be sold or removed from any premises under quarantine for scarlet fever, scarlatina or scarlet rash. No milk bottle or other vessel used for the delivery of milk shall be removed

from any premises under quarantine for scarlet fever, scarlatina or scarlet rash until the quarantine has been raised and such vessels disinfected by boiling.

(j) *Common carriers*.—No person suffering from or exposed to scarlet fever, scarlatina, or scarlet rash shall be permitted to travel on any common carrier.

TYPHOID AND PARATYPHOID FEVER.

REG. 14. (a) *Quarantine measures*.—When a case of typhoid fever exists within his district the health officer shall place a card on all entrances to the premises, which card shall bear the words "Typhoid fever here," printed in letters not less than 2½ inches in height, and shall inform the head of the house relative to the following regulations for the prevention of the disease:

(b) *Disposal of excreta*.—All excreta from the patient must be thoroughly disinfected with quick lime or boiling before being placed in a sewer or otherwise disposed of. All bedding, dishes and other articles used by or about the patient must be disinfected with a solution of formaldehyde, carbolic acid or by boiling before being removed from the sick room.

(c) *Source of infection*.—The source of infection must be sought for by the health officer in all cases, and when found measures must be taken to prevent further infection.

(d) *Widal test*.—All doubtful cases should be subjected to blood examination. The State board of health will make such examinations without charge to physician or health officer.

Note.—Since a Widal reaction does not develop until the end of the second week of the disease, as a general rule, specimens collected before that date should be supplemented by a second specimen collected after the second week of the disease.

It must also be remembered that where a person has been given typhoid bacterin the blood of such person will give a positive Widal reaction, regardless of what disease they may be afflicted with.

(e) When a person is suspected of being a chronic typhoid carrier such fact should be reported to the State commissioner of health, who will give special instructions for handling the case.

(f) When the attending physician believes that the case is one of paratyphoid fever he should so state when sending the blood to the laboratory for examination.

(g) Health officers and physicians may obtain antityphoid vaccine from the State board of health for prophylactic use, upon request without cost.

(h) *Cooks must not handle patient*.—In all cases where persons are ill with typhoid fever in a hotel, lodging house or industrial camp, the health officer shall see that no person having to do with the care of the patient does any work relative to the preparation of or handling of the food. As far as possible, the same rule shall prevail in private families.

(i) *Screening of apartment required*.—In all cases of typhoid in the summer months, the health officer shall see that the apartments occupied by the patient are thoroughly screened against flies, unless the entire house is already screened. If the householder or person responsible is unable to do this on account of poverty, the health officer shall have it done at the public expense.

(j) *Milk, milk products and milk containers*.—No milk or milk products shall be sold or removed from any premises under quarantine for typhoid fever. No milk bottle or other vessel used for the delivery of milk shall be removed from the premises under quarantine for typhoid fever until the quarantine has been raised and such vessels disinfected by boiling.

(k) *Common carriers*.—No person suffering from or exposed to typhoid fever shall be permitted to travel on any common carrier.

(l) All cases reported as typho-malaria or as malaria, if same cannot be confirmed by microscopic examination of the blood, shall be handled as typhoid fever.

POLIOMYELITIS (INFANTILE PARALYSIS).

REG. 15. (a) *Absolute quarantine required.*—Whenever a case of poliomyelitis (infantile paralysis) is found to exist the premises shall be quarantined in the following manner: No person except the attending physician (and in case of death a licensed undertaker) shall be permitted to enter or leave the premises until the quarantine shall have been raised by the health officer or his assistant. The health officer shall cause to be securely attached to each entrance to the premises under quarantine a card upon which is printed the name of the disease and the words "Keep out" in letters not less than 2½ inches in height, and the words "This place is quarantined in accordance with law, by order of the health officer." This card must not be removed by any person except the health officer or his authorized assistant, and not by him until the premises have been thoroughly disinfected.

(b) *Period of quarantine.*—The period of quarantine shall not be less than three weeks, and may be longer in the discretion of the health officer in charge.

(c) *Exposed persons.*—All persons exposed to poliomyelitis (infantile paralysis) must be quarantined for a period of 10 days after the date of last exposure: *Provided*, That persons who have had the disease may be released from quarantine after thorough disinfection, as provided in paragraph (g) of this regulation.

(d) *Articles used in the sick room.*—All bedding, clothing, dishes and other articles used in the sick room must be disinfected before removal from the room. For this purpose a solution of formalin, carbolic acid or boiling water may be used.

(e) *Protection of school children.*—No person who has been exposed to poliomyelitis (infantile paralysis) shall be permitted to enter any school building (public, private, parochial or church) or any place of public resort, for a period of 10 days from the date of last exposure.

(f) *Disinfection of premises.*—At the end of the period of quarantine the premises must be thoroughly disinfected by or under the supervision of the health officer. The disinfection shall consist in thorough fumigation with formaldehyde gas, using not less than 16 ounces of a 40 per cent solution for each 1,000 cubic feet of air space in the house to be disinfected. All outside doors and windows must be securely closed and all cracks and openings sealed. The temperature of the air in the rooms must not be less than 68 degrees F. All bedding, clothing, books, etc., must be so arranged that the gas may reach all parts of them that may have been exposed. After fumigation all woodwork must be washed with an antiseptic solution and all walls and ceilings wiped with a cloth moistened with such solution. Articles of little value that have been handled by the patient should be burned.

(g) *Disinfection of persons.*—No person shall be released from quarantine until such person shall have taken a disinfectant bath (1–5,000 bichloride) and has put on disinfected or unexposed clothing.

(h) *Health officer has discretion.*—Under no circumstances shall quarantine be raised until the health officer has satisfied himself that there is no longer danger of the spread of the disease by any person on the premises under quarantine: *Provided*, That in case of disagreement between the attending physician and the local health officer, either may appeal to the State commissioner of health and the opinion of said commissioner shall be final.

(i) *Milk, milk products and milk containers.*—No milk or milk products shall be sold or removed from any premises under quarantine for poliomyelitis (infantile paralysis). No bottle or other vessel used for the delivery of milk shall be removed from any premises under quarantine for poliomyelitis (infantile paralysis) until the quarantine has been raised and such vessels disinfected by boiling.

(j) *Common carriers.*—No person suffering from or exposed to poliomyelitis (infantile paralysis) shall be permitted to travel on any common carrier.

EPIDEMIC CEREBROSPINAL MENINGITIS.

REG. 16. (a) *Absolute quarantine required.*—Whenever a case of epidemic cerebrospinal meningitis is found to exist the premises shall be quarantined in the following manner: No person except the attending physician (and in case of death a licensed undertaker) shall be permitted to enter or leave the premises until the quarantine shall have been raised by the health officer or his assistant. The health officer shall cause to be securely attached to each entrance to the premises under quarantine a card upon which is printed the name of the disease and the words "Keep out" in letters not less than 2½ inches in height, and the words "This place is quarantined in accordance with law, by order of the health officer." This card must not be removed by any person except the health officer or his authorized assistant, and not by him until the premises have been thoroughly disinfected.

(b) *Period of quarantine.*—The period of quarantine shall not be less than three weeks, and may be longer in the discretion of the health officer in charge.

(c) *Exposed persons.*—All persons exposed to epidemic cerebrospinal meningitis must be quarantined for a period of 10 days after the date of last exposure: *Provided*, That persons who have had the disease may be released from quarantine after thorough disinfection, as provided in paragraph (g) of this regulation.

(d) *Articles used in the sick room.*—All bedding, clothing, dishes and other articles used in the sick room must be disinfected before removal from the room. For this purpose a solution of formalin, carbolic acid or boiling water may be used.

(e) *Protection of school children.*—No person who has been exposed to epidemic cerebrospinal meningitis shall be permitted to enter any school building (public, private, parochial or church) or any place of public resort, for a period of 10 days from the date of last exposure.

(f) *Disinfection of premises.*—At the end of the period of quarantine the premises must be thoroughly disinfected by or under the supervision of the health officer. The disinfection shall consist in thorough fumigation with formaldehyde gas, using not less than 16 ounces of a 40 per cent solution for each 1,000 cubic feet of air space in the house to be disinfected. All outside doors and windows must be securely closed and all cracks and openings sealed. The temperature of the air in the rooms must not be less than 68 degrees F. All bedding, clothing, books, etc., must be so arranged that the gas may reach all parts of them that may have been exposed. After fumigation all woodwork must be washed with an antiseptic solution and all walls and ceilings wiped with a cloth moistened with such solution. Articles of little value that have been handled by the patient should be burned.

(g) *Disinfection of persons.*—No person shall be released from quarantine until such person shall have taken a disinfectant bath (1-5,000 bichloride) and has put on disinfected or unexposed clothing.

MEASLES.

REG. 17. (a) *Quarantine requirements.*—Whenever a case of measles is found to exist, the premises shall be quarantined as follows: The patient or patients shall be kept in a single room or suite of rooms. No person except the nurse or the attending physician (and in case of death a licensed undertaker) shall enter such room or rooms. No person shall leave the premises except such adult persons as are engaged in remunerative occupations which do not bring them into contact with children in considerable numbers, and such persons shall go directly to and from their places of business or employment. The health officer shall cause to be securely fastened to each entrance to the premises a placard on which is printed in letters not less than 2½ inches in height the name of the disease and the words "Keep out. This place is quarantined in accordance with law, by order of the health officer." This card must not be removed by any person except the health officer or his authorized agent.

(b) *Period of quarantine.*—Quarantine shall be maintained until the health officer has satisfied himself that desquamation is complete, but in no case shall the quarantine period be less than two weeks from the onset of the last case on the premises.

(c) *Exposed persons.*—All persons exposed to measles must be quarantined for a period of 10 days after the date of last exposure: *Provided*, That persons who have had the disease may be released from quarantine after thorough disinfection, as provided in paragraph (e) of this regulation.

(d) *Disinfection.*—All woodwork in the room or rooms occupied by the patient shall be washed with an antiseptic solution and the room exposed to the fresh air and sunshine to as great an extent as possible for 24 hours.

(e) *Disinfection of exposed persons.*—All persons who have been in attendance on the patient as well as the patient shall take a full bath and put on fresh clothing before leaving the premises.

GERMAN MEASLES.

REG. 18. *German measles.*—Shall be handled in the same manner as prescribed for measles.

WHOOPIING COUGH.

REG. 19. (a) *Quarantine.*—A strict quarantine shall not be maintained throughout the entire course of the disease, but the house shall be placarded with a card bearing the words "Whooping cough here. Keep out," in letters not less than 2½ inches in height, and no person suffering from whooping cough shall be permitted to leave the premises for a period of three weeks from the onset of the last case of the disease on such premises, and no child shall be permitted to visit a home quarantined on account of whooping cough.

(b) *Released cases must wear arm band.*—Any person suffering from whooping cough may be released from quarantine at the end of the period of three weeks provided such person wears upon his or her arm, exposed to plain view, an arm band, furnished by the State board of health, bearing the words "whooping cough" in letters not less than 1 inch in height. The arm band must be worn as long as the "whoop" continues.

(c) *Protection of school children.*—No person suffering from whooping cough shall be permitted to enter any school (private, public, parochial or church), picture show or any place of public resort.

(d) *Common carriers.*—No person suffering from or exposed to whooping cough shall be permitted to travel on any common carrier.

ROCKY MOUNTAIN SPOTTED OR TICK FEVER.

REG. 20. Whenever a case of Rocky Mountain spotted or tick fever is found to exist, the health officer shall warn those residing on the premises to avoid being bitten by a tick, making frequent examinations of their persons in order to locate any ticks before they have had an opportunity to become attached to the individual.

OPHTHALMIA NEONATORUM.

REG. 21. (a) *Use of silver nitrate urged.*—Since it has been clearly demonstrated that a considerable per cent. of cases of ophthalmia neonatorum are due to pyogenic organisms other than the gonococcus, and since the prophylactic value of silver nitrate is fully proven in all cases, therefore, all physicians and midwives are urged to use a 1 per cent. solution of silver nitrate in the eyes of all new born infants.

(b) *Midwives and nurses must report.*—All midwives, nurses or other persons having charge of a new born infant, shall report immediately to the health officer, or a legally qualified physician, if any pus or secretion forms on the eyes or on the eyelids, or if one or both eyes become reddened or swollen within two weeks of birth.

MALARIA, ANTHRAX, GLANDERS, LEPROSY, FAVUS, HOOKWORM DISEASE, ACTINOMYCOSIS, PELLAGRA, AMEBIC DYSENTERY, TRICHINOSIS, ECHINOCOCCUS INFECTION, TUBERCULOSIS.

REG. 22. *Report to the State commissioner of health.*—Cases of the above mentioned diseases must be immediately reported to the State commissioner of health, who will direct what action shall be taken in regard to them.

RABIES.

REG. 23. (a) *Report by wire.*—When any human has been bitten by an animal suspected of being infected with rabies, such fact shall be immediately reported to the State commissioner of health by telegram, in order that he may make arrangements to secure the antirabic treatment from the Federal authorities.

(b) *Suspected animals should not be killed.*—Animals suspected of being infected with rabies should not be killed, but should be closely confined. If the animal has rabies he will die within 10 to 12 to exceed three weeks. When the animal is killed in the early stages of the disease it is always difficult and often impossible to locate the Negri bodies, whereas the process is comparatively simple in the later stages of the disease. Heads of animals which have been killed for suspected rabies, or those that have died of suspected rabies should be sent to the laboratory of the State board of health for examination for rabies.

(c) *Treatment for rabies rendered free of charge at the laboratory of the State board of health.*—The Federal Public Health Service furnishes antirabic treatment to the State board of health on condition that it be administered at the State board of health laboratory. Any person who has been bitten by a rabid animal can secure the Pasteur treatment by applying to the State board of health at Seattle. The treatment requires three weeks and applicants for treatment must defray their own expenses while in the city. The antirabic treatment can not be sent to the local physicians by the State board of health.

TRACHOMA.

REG. 24. *Protection of school children.*—No person suffering from trachoma shall be permitted to attend any school (public, private, parochial or church) unless under the care of a physician, who shall certify in writing to the school board and the health officer that the case is not in a contagious stage.

GENERAL DUTIES OF HEALTH OFFICERS.

REG. 25. *Commissioner given discretionary powers.*—The State commissioner of health may, from time to time as he shall deem it of the greatest good to the community, modify, omit or add to the requirements herein prescribed with regard to communicable diseases, and he may require quarantine for other diseases than those mentioned in the foregoing regulations.

* * * * *

REG. 26. (b) *Immediate report of communicable diseases.*—Upon receipt of notice of any communicable disease within his district or when such disease is found on investigation, the health officer shall immediately make a report of such case to the State commissioner of health, giving the following information with regard to each case: Name of disease, date reported, date of onset, name of patient, age, sex, color, address, occupation, school attended or place employed, number in household (adults or children), probable source of infection; if smallpox, the type of the disease and the number of times the patient has been successfully vaccinated with approximate dates of such vaccinations; if the disease is typhoid fever, diphtheria, septic sore throat or scarlet fever, was the patient or any member of the household engaged in the production or handling of milk, and the name of the person reporting the disease.

(c) *Monthly reports.*—In addition to the immediate report each health officer shall make a monthly report, which must be mailed on or before the fifth day of the succeeding month to the State commissioner of health, setting forth the number of cases of each communicable disease reported to him during the month.

(d) *Telegraphic reports.*—Health officers shall notify the State commissioner of health by telegram of any unusual outbreak of disease within his district and of any case of leprosy, bubonic plague, anthrax and such other diseases as the State commissioner of health may from time to time designate.

(e) *Must notify school teachers.*—When any health officer shall have knowledge of the existence of any communicable disease within his district in any house from which any child attends school, or in which any person resides who is in the habit of frequenting any school building, he shall immediately notify the superintendent of schools, if located in a town having a superintendent of schools, or the school teacher of the school in the immediate school district, of the existence of the disease and the house in which it is located.

* * * * *

REG. 34. (a) *Exclusion from school.*—Children suffering from any disease requiring quarantine shall be excluded from all schools.

(b) *Quarantinable diseases.*—Diphtheria and membranous croup, scarlet fever, scarlatina, or scarlet rash, Asiatic cholera, plague, typhus fever, yellow fever, anterior poliomyelitis (infantile paralysis), anthrax, chicken pox, epidemic cerebrospinal meningitis, German measles, measles, smallpox, typhoid fever, paratyphoid fever, whooping cough.

(c) *Exclusion from school for tuberculosis.*—No child, teacher or janitor suffering from tuberculosis shall be allowed to attend or work in any public, private or parochial school.

(d) *Manner of exclusion from school for tuberculosis.*—Any health officer shall upon request from the county superintendent of schools or any school principal, inspect a school where tuberculosis in a pupil or pupils is suspected. If upon investigation and examination the health officer decides any pupil to be tuberculous, he shall exclude such pupil from school, nor shall any such pupil be allowed to return to school until proof satisfactory to the health officer that such pupil is not suffering from tuberculosis is established.

(e) *Teachers or janitors suffering with tuberculosis.*—Upon request from the county superintendent of schools stating that he believes a teacher or janitor in any school in the county to be afflicted with pulmonary or laryngeal tuberculosis, the health officer shall thereupon investigate and examine such teacher or janitor, and if he shall find such teacher or janitor to be tuberculous, or if they refuse such examination he shall then order the board of directors of such school district to suspend such teacher or janitor from their duties until satisfactory evidence of freedom from pulmonary or laryngeal tuberculosis is furnished to the health officer.

(f) *Exclusion from school for special diseases.*—In addition to the diseases elsewhere declared by these rules to be subject to quarantine, any child shall be excluded from any private, parochial or public school by the health officer, who is afflicted with the following diseases:

Contagious conjunctivitis, impetigo contagiosa, mumps, pediculosis (lice), ringworm, scabies (itch), or any suppurative disease of a foul or offensive nature: *Provided*, That in case of ringworm or scabies or pediculosis, the child may be allowed to continue school attendance at the discretion of the health officer if proper treatment be immediately instituted.

(g) *Exclusion from school for smallpox unless successfully vaccinated.*—All children in any community where smallpox actually exists shall be excluded from private, parochial or public schools until vaccinated, unless they can present certificate from

a legally qualified physician attesting to a successful vaccination within 7 years, or can give positive proof of having already had smallpox.

(h) *Disinfection of school buildings.*—Whenever any pupil, janitor or teacher in any private, parochial or public school is afflicted with any disease for which disinfection is required by the rules of the State board of health, the school buildings, schoolroom or rooms, must be declared infected and dangerous to the public health, and such school building, room or rooms shall not be used again for school purposes until thorough disinfection of the same has been carried out under the direction of the local health officer.

(i) *Teacher must report suspected cases.*—Whenever any school principal or teacher in any private, parochial, or public school has reason to suspect that any pupil is suffering from or has been exposed to any contagious or infectious disease required by the rules and regulations of the State board of health to be excluded from school, such principal or teacher shall send such child home and report the occurrence to the local health officer by the most direct means available, and any pupil so excluded shall not be permitted to attend school again until such pupil shall present a certificate from a legally qualified physician stating that the child is not suffering from any infectious or contagious disease.

(j) *School may be closed.*—Whenever in the judgment of the State commissioner of health, or any county health officer, or health officer of a city of the first class, or any board of health of any city, it is advisable to close the schools because of the prevalence of any contagious or infectious disease or diseases, he or they shall serve written notice upon the board of school directors or the responsible officials of any private, parochial, public or Sunday school in the same district in which such disease or diseases prevail, directing them to close all schools immediately, nor shall any such schools be reopened until ordered by the proper health official.

RULES REGULATING PREPARATION FOR BURIAL AND CONDUCTING OF FUNERALS.

REG. 35. (a) *Supervision of funerals by health officers.*—The health officer shall supervise the conducting of funerals in all cases of acute infectious diseases.

(b) *Attendance at cemetery.*—In case of funerals from houses that still continue under quarantine, members of the immediate family shall be allowed to accompany the corpse to the cemetery or crematory and to return to their premises under supervision of the local health officer.

(c) *Preparation by embalmer in case of death from quarantined disease.*—A licensed embalmer shall prepare a body for burial dead from a disease requiring quarantine, in the following manner:

If the body be removed from the room in which death occurred to another room in the same house, in order to enable the embalmer to better carry out his duties, both rooms must be thoroughly scrubbed and woodwork, furniture, etc., mopped in addition to the general fumigation of the house.

(d) *Protection of public.*—The embalmer before entering a room containing a corpse dead from a disease requiring quarantine, shall cover himself from head to foot in a cloth or rubber gown, and shall cover his head with a snugly fitting cap, and whenever possible shall wear rubber gloves. Upon leaving the room the outer garments, cap and gloves shall all be wrapped in a tight covering or placed in a tightly closed bag, and the entire contents shall immediately thereafter be disinfected by boiling.

(e) *Disinfection of coffin and room.*—The coffin or casket used to convey the corpse shall not be taken into the room containing the corpse and removed therefrom unless the room previously or the room and coffin together, shall have undergone thorough disinfection under the direction of the health officer.

(f) *Disinfection of instruments.*—All knives, razors, trocars, needles, syringes, and all other instruments employed in the process of embalming, together with all vessels, sponges, cooling boards, or other apparatus taken from the room during the preparation

of a corpse dead from a contagious or infectious disease, shall be thoroughly disinfected by boiling or immersion in a strong antiseptic solution immediately thereafter.

(g) *Material removed from corpse to be disinfected.*—All fluids or other matter removed from such bodies during the embalming process shall be either burned or mixed with equal volumes of a disinfectant solution approved by the State board of health, for at least 3 hours before final disposal.

(h) *Certain other diseases requiring same precautions.*—In cases of death from disease other than those requiring quarantine, the same procedure as in deaths from quarantinable diseases shall be carried out in all cases dead from smallpox, measles, glanders, anthrax, Rocky Mountain tick fever, leprosy.

(i) *Precautions required in certain other diseases.*—In cases of deaths from tuberculosis, typhoid fever, puerperal fever, erysipelas, or whooping cough, careful disinfection of the hands, instruments, and fluids and other matters removed from the body shall be carried out but not the other restrictions relative to the preparation of such bodies.

(j) *Removal of corpses from house.*—Any licensed embalmer in lieu of preparing the body for burial at the place of death may wrap such corpse completely in a sheet soaked with a strong disinfectant, and place the body so wrapped in a wicker case and remove it to his place of business for the process of embalming: *Provided, however,* That if such be done the same precautions as to disinfection shall be carried out at the undertaker's parlors as are specified for the preparation of such body at the house where death occurred, and that the right to remove said body shall not be held to confer the right to conduct a public funeral.

(k) *Health officer shall supervise funeral of persons dead from contagious diseases when such are held at undertaker's parlors.*—If a funeral be held at the undertaker's parlors in the case of a person dead from any of the diseases enumerated above, except typhoid fever, tuberculosis, puerperal fever, erysipelas, or whooping cough, the local health officer shall supervise the conducting of such funeral services and the premises must be thoroughly disinfected immediately thereafter.

(l) *Depth at which deceased human bodies must be buried.*—Hereafter all deceased human bodies that are disposed of by earth burial in the State of Washington, must be buried in the ground at a depth of at least 3 feet.

Veneral Diseases—Communicable Disease Regulations of State Board of Health Govern. (Reg. Bd. of H., Dec. 17, 1917.)

REG. 37. *Syphilis, gonococcus and chancroid infection.*—In addition to those diseases mentioned in regulation 1, of the rules and regulations adopted by the State board of health on October 4, 1917, syphilis, gonococcus and chancroid infection are hereby declared to be "dangerous, contagious and infectious diseases," and wherever the terms "contagious, infectious or communicable" occur in any regulation made and promulgated by this board, these diseases shall be considered as referred to by such regulation or regulations.

Common Carriers—Sanitary Regulation. (Reg. Bd. of H., Oct. 4, 1917.)

REG. 27. *Federal regulation adopted.*—All common carriers operating in the State of Washington, whether engaged in interstate or intrastate business or both, shall comply with the regulations of the U. S. Public Health Service made and promulgated for the control of common carriers engaged in interstate business, and the regulations made by the said U. S. Public Health Service are hereby declared to be a part of these regulations of the State Board of Health of Washington.

Domestic Animals—Quarantine. Rabies—Confinement and Muzzling of Dogs.
(Ch. 13, Act Feb. 10, 1917.)

SECTION 1. That section 3204¹ of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

SEC. 3204. Quarantine shall mean the placing and restraining of any animal or animals by the owners or agents in charge of them within certain enclosures described or designated by the commissioner of agriculture, the assistant commissioner of agriculture assigned to the division of dairy and livestock or any inspector of the department of agriculture, in writing, and if the quarantine shall be for the purpose of preventing the spread of rabies or hydrophobia, the notice shall be published in the official newspaper of the county or counties included in the quarantined area or if there be no such newspaper then in one newspaper circulating generally within such area and said notice shall contain a warning to the owners of dogs within the quarantined area to confine closely or to muzzle all such dogs to effectually prevent biting, and any dog found running at large in such quarantined area at any time after 5 days from the date of the publication of such notice or known to have been removed from or to have escaped from such area, not being muzzled as aforesaid, may be shot or otherwise destroyed, by any person, without liability therefor.

Any owner or owners or agent who fails to comply with or wilfully violates or negligently allows such quarantine to be violated by the escape and running at large of quarantined animals shall be guilty of a misdemeanor.

Regulations of State Board of Health—All Prior Regulations Repealed. (Reg. Bd. of H., Oct. 4, 1917.)

REG. 36. *Repealing previous regulations.*—All regulations heretofore adopted by the State Board of Health of Washington are hereby annulled, the foregoing rules and regulations being declared the rules and regulations of the Washington State Board of Health, made and promulgated in accordance with the provisions of the law.

Foods and Drugs—Regulations Against Adulteration and Misbranding—Standards of Quality, Purity, and Strength. (Ch. 168, Act Mar. 19, 1917.)

SECTION 1. The commissioner of agriculture shall, from time to time, with the approval of the agricultural advisory board, adopt, publish and enforce reasonable and uniform rules and regulations against the adulteration and misbranding of foods and drugs, and shall adopt, publish and enforce, as the standards of this State, the standards of quality, purity and strength adopted and applied by the United States Department of Agriculture, in the enforcement of the laws of the United States against the adulteration and misbranding of foods and drugs, except in cases where other standards are specifically prescribed by the laws of this State.

SEC. 2. The standards of quality, purity and strength of foods and drugs, and the rules and regulations against adulteration and misbranding of foods and drugs adopted by the commissioner of agriculture, as in this act provided, shall be recorded and indexed by the commissioner of agriculture in well bound books to be kept in his office as public records, and shall take effect at the expiration of 30 days from the date of their adoption, and it shall be the duty of the commissioner of agriculture to cause said standards, rules and regulations, and the amendments and additional standards, rules and regulations adopted from time to time, to be published in pamphlet form for general distribution to manufacturers and dealers in foods and drugs.

SEC. 3. In any prosecution for the violation of the laws of this State against adulteration or misbranding of foods and drugs, and in any proceedings for the condemnation of adulterated or misbranded foods or drugs, it shall be competent to prove that the

¹ Pub. Health Repts. Reprint 338, p. 551.

standards of quality, purity and strength adopted by the commissioner of agriculture, as in this act provided, have not been complied with, and proof of that fact shall be prima facie evidence of a violation of the law against the adulteration or misbranding of foods and drugs.

Sewage Disposal—Prevention of Pollution of Drinking Water. (Reg. Bd. of H. Oct. 4, 1917.)

REG. 32. *Sewage pollution of streams prohibited.*—No city or town shall hereafter empty or discharge its sewage into any body of water or stream used for drinking purposes by any municipality until such sewage has been rendered harmless by some method approved by the State board of health.

Common Drinking Cups and Common Towels—Prohibited in Public Places. (Reg. Bd. of H., Oct. 4, 1917.)

REG. 28. *The common drinking cup prohibited.*—No drinking cup, glass or vessel for common use shall be provided in any car, vessel, vehicle or other common carrier, nor in any depot or waiting room maintained in connection with any common carrier, nor in any State, county, municipal public building, nor in any public park or on any public thoroughfare, nor in any public, private, or parochial school or educational institution, nor in any theater or place of amusement, nor in any hotel, lodging house or restaurant, nor in any room or corridor open to the public of any hospital, sanatorium or asylum.

REG. 29. *The common towel prohibited.*—No towel for use by more than one person shall be provided in any car, vessel, vehicle or other common carrier, nor in any depot or waiting room maintained in connection with any common carrier, nor in any State, county, or municipal public building, nor in any public, private, or parochial school or educational institution, nor in any theater or place of amusement, nor in any hotel, lodging house, restaurant, nor in any room or corridor open to the public of any hospital, sanatorium or asylum.

Midwives—Licensing. (Ch. 160, Act Mar. 16, 1917.)

SECTION 1. Any person who shall practice midwifery in this State after July 1, 1917, shall first obtain from the State board of medical examiners of the State of Washington a license so to do, and the said board is authorized to grant such license after examination of the applicant as hereinafter provided.

SEC. 2. Any person seeking to be examined shall present to the said board, at least 10 days before the commencement of the said examination, a written application on a form or forms provided by the said board setting forth under affidavit the name, age, nativity, residence, moral character and time spent in obtaining a common school education or its equivalent; that the candidate has received a certificate or diploma from a legally incorporated school on midwifery in good standing, granted after at least two courses of instruction of at least 7 months each in different calendar years or a certificate or diploma in a foreign institution on midwifery of equal requirements conferring the full right to practice midwifery in the country in which it was issued. The diploma must bear the seal of the institution from which the applicant was graduated. Foreign applicants must present with the application a translation of the foreign certificate or diploma made by and under the seal of the consulate of the country in which the said certificate or diploma was issued. The application must be endorsed by a duly registered reputable physician of the State of Washington.

SEC. 3. If the application is approved and the candidate shall have deposited the sum of \$15 as an examination fee with the secretary of the said board, the candidate shall be admitted to the examination, and in case of failure to pass the examination, may be reexamined at any regular examination within 1 year without the payment

of an additional fee, said fee to be retained by the board after failure to pass the second examination.

SEC. 4. The State board of medical examiners is hereby authorized and empowered to execute the provisions of this act and shall hold examinations in midwifery on the first Monday in January and July, at such places as the board may select, from 10 o'clock a. m. to 5 o'clock p. m., and at such other times as the said board may deem expedient. The examinations may be oral, written, or both, and shall be in the English language; if desired in any other language, an interpreter may be provided by said board upon notification of the secretary at least 10 days before examination. The cost of said interpreter shall be defrayed by the applicant for the license. Examinations shall be held on the following subjects:

- (1) Anatomy of pelvis and female genital organs.
- (2) Physiology of menstruation.
- (3) Diagnosis and management of pregnancy.
- (4) Diagnosis of fetal presentation and position.
- (5) Mechanism and management of normal labor.
- (6) Management of puerperium [puerperium].
- (7) Injuries to the genital organs following labor.
- (8) Sepsis and antisepsis in relation to labor.
- (9) Special care of the bed and lying-in room.
- (10) Hygiene of mother and infant.
- (11) Asphyxiation, convulsions, malformation and infectious diseases of the newborn.
- (12) Causes and effects of ophthalmia neonatorum.
- (13) Abnormal conditions requiring attention of a physician.
- (14) Requirements of the vital statistics laws pertaining to the reporting of births and the rules of the State board of health relative to ophthalmia neonatorum or other infectious diseases of the new-born.

Said examination shall be sufficient to test the scientific and practical fitness of candidates to practice midwifery and the board may require examination on other subjects relating to midwifery from time to time. All application papers shall be deposited with the secretary of the State board of medical examiners and there retained for at least 1 year, when they may be destroyed.

If said examination is satisfactory, said board shall issue to such candidate a license with the certified copy signed by its president and secretary, and attested by its seal, entitling the candidate to practice midwifery in the State of Washington: *Provided*, That said license shall not authorize the holder to prescribe any drugs or medicine except some household remedy after the birth of the infant.

SEC. 5. Every person holding a license authorized in this act must have the same recorded in the office of the county clerk in the county in which the holder is practicing her profession, and the fact of such recording shall be endorsed on the certificate by the county clerk recording the same. Every such person, on a change of her residence, must have the license recorded in the county to which she shall have removed. The absence of such record shall be prima facie evidence of the want of possession of such certificate; and any person practicing midwifery in this State without first having filed her certificate with the county clerk as herein provided, shall be deemed guilty of a misdemeanor.

SEC. 6. The county clerk shall keep in a book provided for the purpose, a complete list of the certificates recorded by him, with the date of the record, and such book shall be open to public inspection during his office hours.

SEC. 7. Said board of medical examiners may refuse to grant or may revoke any license herein provided for, for any of the following reasons: Persistent inebriety; the practice of criminal abortion; the commission of any crime involving moral turpitude; presentation of a certificate or diploma for registration or license illegally obtained;

application for examination under fraudulent misrepresentation; neglect or refusal to make proper returns to the health officer or health department of births or of puerperal contagion or infectious diseases within the required limit of time; failure to record her license with the clerk of the county in which the licentiate resides or practices; failure to secure the attendance of a reputable physician in a case of miscarriage, hemorrhage, abnormal presentation or position, retained placenta, convulsions, prolapse of the cord, fever during parturient stage, inflammation or discharge from the eyes of a new-born infant, or whenever there are any abnormal or unhealthy symptoms in either the mother or the infant during labor or the puerperium.

In complaints of violations of the provisions of this section, the accused shall be furnished with a copy of the complaint and be given a hearing before said board in person or by attorney. Any midwife refused admittance to the examination or whose license has been revoked who shall attempt or continue the practice of midwifery, shall be subject to the penalties hereinafter prescribed.

SEC. 8. Any person shall be regarded as practicing midwifery within the meaning of this act who shall render medical aid to a woman in childbirth for a fee or compensation or who shall advertise as a midwife by signs, printed cards or otherwise. Nothing shall be construed in this act to prohibit gratuitous services. It shall be the duty of a midwife to always secure the immediate services of a legally qualified physician whenever any abnormal signs or symptoms appear either in the mother or the infant.

SEC. 9. Any person hereafter practicing midwifery in this State without first complying with the provisions of this act, shall be guilty of a misdemeanor and shall be punished by fine of not less than \$50 nor more than \$250, or by imprisonment in the county jail for not less than 10 days nor more than 6 months, or both, at the discretion of the court.

SEC. 10. All acts or parts of acts inconsistent with the provisions of this act may be and the same are hereby repealed: *Provided*, This act shall not repeal the provisions of the vital statistics laws of the State, but shall be deemed as additional and cumulative provisions.

SEC. 11. The words "certificate" and "license" shall be known as interchangeable terms in this chapter.

SEC. 12. This act shall not be construed to interfere in any way with the practice of religion, nor be held to apply to or regulate any kind of treatment by prayer.

Premises—Removal of Insanitary Conditions. (Reg. Bd. of H., Oct. 4, 1917.)

REG. 26. (a) *Must make investigations.*—Each health officer must investigate whenever and wherever he has reason to suspect that any insanitary condition, dangerous to public health, exists within his district, and if such insanitary condition is found to exist he shall order its removal within a specified time by a written notice served on the owner or agent of the property whereon such insanitary condition exists; and if said owner or agent shall fail to remove or remedy such insanitary condition within the time specified in such written notice, the health officer shall bring the matter to the attention of the county attorney and, if necessary, file a complaint against such owner or agent for maintaining an insanitary condition dangerous to public health and in violation of the regulations of the State board of health.

Toilets—Location, Construction, and Cleanliness. (Reg. Bd. of H., Oct. 4, 1917.)

REG. 30. (a) *Toilets, how constructed and located.*—All human excreta must be disposed of in sewers, properly managed septic tanks, cesspools or vaults. No cesspool or vault shall be located within 100 feet of any well, spring, stream or cistern used as a source of domestic water supply, unless provided with a water-tight receptacle. No vault toilet shall be located within 25 feet of any dwelling. All toilets must be

so constructed that flies cannot come in contact with the toilet contents. All vaults must be cleaned when the contents reach within 6 inches of the top of the vault, and at such other times as the local, county or State health officer shall direct.

(b) No cesspool or septic tank shall be permitted where sewer connection is available.

(c) *Public toilets.*—All toilets used by guests or patrons of any public place or place of business must at all times be kept clean and free from dirt or filth, and the person, persons, firm or corporation conducting such public place or place of business shall be responsible for the observance of this regulation, and it shall be the duty of the local or county health officer or his assistant to see that this regulation is enforced.

Manure—Disposal. (Reg. Bd. of H., Oct. 4, 1917.)

REG. 31. *Disposal of animal manure.*—No person shall put any manure into any street, alley or other highway within one-half mile of any house used as a residence. No person shall permit any manure to remain within 500 feet of any house, used as a residence, for a longer period than 1 week, unless such manure is contained in a fly-proof receptacle.

Industrial Camps—Sanitary Regulation. (Reg. Bd. of H., Oct. 4, 1917.)

REG. 33. (a) *Location must be reported.*—Hereafter contractors and all other persons who may establish an industrial camp or camps, for the purpose of logging or any like industry, or for the purpose of constructing any road, railroad or irrigation canal, or any work requiring the maintenance of camps for men engaged in such work, or any other temporary or permanent industrial camps of whatsoever nature (hop-picking camps and fruit gathering camps are construed as industrial camps), shall report to the State commissioner of health concerning the location of such camp or camps, and shall arrange such camp or camps in a manner approved by the State commissioner of health so as to maintain good sanitary conditions, and shall at all times keep such camp or camps in a sanitary condition satisfactory to the State commissioner of health.

(b) *County health officer to report camps.*—The health officer of each county shall report to the State commissioner of health on the location and sanitary condition of all industrial or construction camps within his jurisdiction in the month of June of each year, and at such other times as the commissioner of health may require.

(c) *Management of camps responsible.*—All contractors and other persons responsible for the control and management and construction of industrial camps must use all reasonable precautions to protect the men in their employ from disease, and to that end they shall comply with the following regulations adopted by the State board of health.

(d) *Directions for sanitation of camps.*—The following are the instructions and recommendations relative to the proper sanitation of camps. The natural topography of the land where camps must of necessity be located renders it impossible to specify in detail complete plans for temporary camps, but the management of camps will be held strictly responsible for failure or refusal to comply with the general intent and spirit of these regulations.

(1) Camps must be established upon dry, well-drained ground.

(2) All natural sink holes or collections of pools of water must be drained and filled when the camp is first established.

(3) Stable and kitchen must be separated by a distance as great as consistent with the natural topography of the land upon which the camp is located.

(4) The toilets must be located convenient to the bunk houses, and as far removed from the kitchen and eating house as may be practical.

(5) The use of the toilets provided for the men must be made obligatory, and instant discharge of any employee polluting the soil in the camp must be rigidly enforced.

(6) In camps of 100 or over there must be one employee whose principal duty it shall be to act as scavenger and garbage collector.

(7) All manure from the barns must be collected and burned at least once in each week. Instead of burning, the manure may be used as fertilizer on fields not less than one-half mile from the camp.

(8) All toilets in the camp must be made fly proof. (The State board of health will furnish drawings of inexpensive fly-proof toilets upon request.)

(9) Kitchen and eating houses must be effectively screened against flies.

(10) Garbage must be collected in tight cans and burned or buried daily. Garbage may be fed to pigs provided the pen is located not less than 100 feet from cook or eating house and kept in a sanitary condition.

(11) Tin cans and other noninflammable refuse must be collected daily and burned over every 10 days or buried in a pit.

(12) Food supplies must be carefully screened and thorough and systematic scrubbing of kitchen, eating house and bunk houses must be observed.

(13) The supply of water at the camp must come from an absolutely uncontaminated source.

(14) Care must be taken not to pollute the water supply of another camp or the water supply of any of the people of the State of Washington.

(15) All sick from whatever cause should be isolated from the remainder of the crew immediately.

(16) All persons engaged in the care of the premises and handling of the food, particularly cooks and helpers, should be carefully examined and particular attention paid to the point as to whether or not they have suffered from typhoid fever within recent years.

WEST VIRGINIA.

State Tuberculosis Sanatorium for Negroes—Establishment and Regulation. (Ch. 38, Act Feb. 23, 1917.)

SECTION 1. There is hereby established for the care and treatment of persons of the Negro race afflicted with tuberculosis, or consumption, a State institution to be known as the State colored tuberculosis sanatorium. It shall belong to that class of institutions mentioned in section 3 of chapter 58 of the acts of 1909, and shall be managed and controlled as provided in said act, all the provisions whereof shall be as applicable to said sanatorium as if the same were named in said section 3 of said act. The chief executive officer thereof shall be the superintendent, who shall be a legally qualified physician of at least 6 years' experience in the practice of his profession and shall be a person of good executive ability, and shall be appointed by the governor with the advice and consent of the senate.

SEC. 2. The State board of control and a committee of three colored physicians, citizens of West Virginia, appointed by the governor, shall jointly select a suitable site for such sanatorium and provide plans for the necessary buildings as soon after July 1, 1917, as practicable; and thereafter all the provisions of said chapter 58 of the acts of 1909 shall govern herein as far as applicable.

SEC. 3. There shall be admitted into said sanatorium persons of the Negro race, residents of this State, who may be suffering with tuberculosis, which persons shall be divided into two classes, namely: First, those unable to pay the expenses of their care and treatment; second, those who are able to pay and shall pay the same. The reasonable expenses of poor persons admitted at the request of the authorities of any municipal corporation or county shall be paid by such municipal corporation or county. Regulations may be made to receive persons who are able to pay part but not able to pay all of the expenses of their care and treatment. Schedules of rates to be paid by patients shall be made by the State board of control.

WISCONSIN.

Communicable Diseases—Penalty for Failure to Report Cases of, and for Other Violations of Laws Relating to. (Ch. 117, Act Apr. 24, 1917.)

SECTION 1. Section 1416-12 of the statutes is amended to read:

Sec. 1416-12. 1. Any person who shall violate any of the provisions of sections 1416-1 to 1416-14, inclusive, and any person who, without written authority from the commissioner of health or health officer shall remove, or cause to be removed any placard placed upon premises or apartments which are or have been occupied by persons sick with any of the diseases mentioned in section 1416-1, upon conviction thereof, shall be fined not less than \$5 nor more than \$100, or by imprisonment in the county jail for not less than 5 days nor more than 90 days.

2. Any licensed physician who accepts a patient for treatment and shall fail, neglect or refuse to diagnose any case of dangerous communicable disease enumerated in section 1416-1 of the statutes where the exercise of ordinary skill and bacteriological examinations would have been of material value in disclosing the presence of such disease, and any such physician who shall fail to report any such disease shall upon conviction thereof be punished as provided in subsection 1 of this section. Upon a second or subsequent conviction, the State board of medical examiners shall revoke the license of such physician to practice medicine within the State and such physician shall not again be licensed for a period of 1 year.

Communicable Diseases—Investigation by Local Health Officers—Quarantine—Placarding. (Ch. 239, Act May 17, 1917.)

SECTION 1. Section 1416-15 of the statutes is amended to read:

Sec. 1416-15. Whenever a health officer shall know, suspect, or be informed of the existence of any communicable disease, dangerous to the public health, it shall be the duty of such health officer, or deputy, to at once examine such case, or cases of alleged communicable disease, dangerous to the public health. The health officer having jurisdiction, upon being notified or having knowledge of the existence of any disease which has been designated by the State board of health in its rules and regulations to be quarantinable, shall immediately in person or by deputy quarantine the infected house, rooms or premises so as effectually to quarantine the case or cases and the family, if necessary, in such manner and for such time as the State board of health in its rules shall determine necessary to prevent transmission of the disease. Whenever a house, tenement room or other building is placed in quarantine, a placard shall be posted in a conspicuous position on such building, giving the name of the disease for which quarantine is established, or the word "quarantine" in letters not less than 2 inches long. Such placard shall contain the following quarantine notice: "All persons are forbidden to enter or leave these premises without a special written permit from the health officer having jurisdiction and all persons are forbidden to remove, obscure or mutilate this card or to interfere in any way with this quarantine without written orders from said health officer, under penalty of a fine or imprisonment as provided in section 4608 of the statutes." Every violation of such quarantine and notice and every disobedience or disregard of such notice or its terms shall be punished in the manner provided in said section 4608. The local board of health shall employ as many persons as are necessary to execute its orders; properly guard any house or place containing any person or persons affected with a quarantinable disease,

or who have been exposed thereto, if quarantine is violated or intent to violate quarantine is manifested. Such person shall be sworn in as quarantine guards, shall have police powers, and may use all necessary means to enforce the State laws for the prevention and control of contagious or infectious diseases or the orders, rules and regulations of any board of health made in pursuance thereof.

Communicable Diseases—Notification of School and Library Authorities of Existence of—School Attendance—Disinfection of Library Books. (Ch. 53, Act Mar. 29, 1917.)

SECTION 1. Sections 1408a and 1408b of the statutes are amended to read:

SEC. 1408a. 1. Upon the appearance of any dangerous communicable disease in any school district, it shall be the duty of the health officer of the township, incorporated village, or city where the schoolhouse is located to notify at once, in writing, the principal or teacher of such school and the librarian of all libraries in any such town, village or city, giving the names of all families where the disease exists. If the rules of the State board of health provide for the exclusion from school of teachers, or pupils from homes where such disease exists, the health officer shall request the principal of the school to exclude from school attendance all such persons until a written order signed by the health officer permitting attendance at school is presented.

2. Whenever the principal or teacher of the school has been notified of the prevalence of a dangerous communicable disease in the school district, or whenever the principal or teacher of the school knows or suspects that a dangerous communicable disease is present in the school district, it shall be the duty of such principal to at once notify the health officer of the town, village or city where the school house is located, of such absence from school on account of sickness. The health officer must then investigate all such cases, to determine whether or not a dangerous communicable disease is present in such family.

3. Library books shall not be taken into a home where a dangerous communicable disease exists, and shall not be returned to the library from a home where such disease exists or has recently occurred unless disinfected as hereinafter provided. Infected books, or books suspected of being infected, shall be burned, unless thoroughly disinfected by or under the direction of the local health officer.

SEC. 1408b. Parents, guardians, or persons having custody of any child or children, shall not permit such child or children, if afflicted with a dangerous communicable disease, to attend school.

Communicable Disease Isolation Hospitals in Certain Counties—Establishment and Maintenance. (Ch. 588, Act July 6, 1917.)

SECTION 1. A new subsection is added to section 670 of the statutes to read:

SEC. 670. 24. In counties having a population of 250,000 or more to erect, establish and maintain isolation hospitals or places for the care and treatment of all persons afflicted with infectious, contagious and communicable diseases, requiring isolation and quarantine under the laws of the State, who shall be inmates of the charitable, penal, correctional and other institutions of said county or who are required to be cared for and treated at the expense of said county; also to provide for the care and treatment therein of all persons so afflicted, who are required to be cared for by the various towns, cities, villages in said counties, under such terms, conditions, rules and regulations, as to apportionment of cost of erection of such buildings and places and the expense of care and treatment of such persons afflicted, as may be agreed upon between the county board of supervisors and the common council of such cities and the boards of such villages and towns, and each of such councils and boards are hereby vested with power and authority to enter into such contracts and to appropriate such funds as may be nec-

essary to carry into execution all contracts so made. All isolation hospitals and other places, when so erected or established, shall be conducted under the control and management of the county board of administration of such counties wherein such board of administration has been established in the same manner and to the same extent as institutions now under the control of such boards are controlled and managed.

Communicable Diseases—Payment of Expenses for Care of Infected Persons—Disinfecting and Cleaning. (Ch. 574, Act July 5, 1917.)

SECTION 1. Section 1416-17 of the statutes is hereby amended to read:

SEC. 1416-17. The expenses for necessary nurses, medical attention, food and other articles needed for the comfort of the afflicted person, or persons, shall be a charge to the person so taken care of, or against any other person who may be liable for his support. Indigent cases shall be cared for at public expense upon the order of the local board of health. The expense of maintaining quarantine and disinfection of persons and premises after death or recovery, shall be paid by the city, incorporated village, or town, upon the order of the local board of health. When a person with a contagious disease, quarantined in any township, incorporated village or city, is a legal resident of another township, incorporated village or city of this State, the expense for necessary nurses, medical attention, food and other articles needed for the health and comfort of the afflicted person if such person is indigent shall be paid by the township, incorporated village or city where such person is a legal resident or by the county where the county system for the care of the poor has been adopted: *Provided*, That a sworn statement of such expense is sent to the proper town or county officers within 30 days after the quarantine in such case is removed. In all cases the disinfecting and cleansing so as to effectually destroy the contagion, shall be done before quarantine is removed. The disinfecting and cleansing shall be carried out according to methods indorsed and recommended by the State board of health.

In counties having a population of 250,000 or more, all indigent persons shall be cared for at the expense of the city, incorporated village or town in which the care and treatment shall be provided, notwithstanding that the county system of caring for the poor may be in force in any such county.

Venereal Diseases—Notification of Cases—Treatment—Literature—Laboratory Tests. (Ch. 235, Act May 17, 1917.)

SECTION 1. There is added to the statutes a new section to read:

SEC. 1417m. 1. Any person afflicted with gonorrhea or syphilis in its infective or communicable stage is hereby declared to be a menace to the public health. Any physician licensed to practice medicine in this State who is called upon to attend or treat any person infected with gonorrhea or syphilis in its communicable state, shall report to the State board of health in writing, at such time and in such manner as the State board of health may direct, the age and sex of such person and the name of the disease with which such person is afflicted. Such report shall be made on blanks furnished by the said board.

2. Every physician treating venereally infected individuals shall fully inform such persons of the danger of transmitting the disease to others and he shall advise against marriage while the person has such disease in a communicable form.

3. Whenever any person afflicted with gonorrhea or syphilis ceases taking treatment before he or she has reached the stage of the disease where it is no longer communicable or whenever any individual has been informed by a licensed physician that such individual is afflicted with gonorrhea or syphilis in the communicable stages and the person so afflicted refuses to take treatment, the physician shall forthwith notify the State board of health, giving the age, sex, and conjugal condition of the person afflicted

and the nature of the disease. The State board of health shall, without delay, take such steps as shall be necessary to have said person committed to a county or State institution for treatment until such individual has reached the stage of the disease where it is no longer communicable and the person so committed shall not be released from treatment until this stage of the disease is reached unless other provisions satisfactory to the State board of health are made for suitable treatment.

4. Each county shall make such provisions as may be required by the State board of health to furnish the necessary care and treatment to all indigent individuals residing in the county who are afflicted with gonorrhea or syphilis, or to any such person who may be committed to any county institution for failure to comply with this law, until such afflicted persons have passed the infectious or communicable stage of the disease.

5. The State board of health shall prepare for free distribution upon request among the citizens of the State printed information and instructions concerning the dangers from venereal diseases, their prevention and the necessity for treatment.

6. The State laboratory of hygiene located at Madison, and all branch and cooperative laboratories located in any part of the State shall make microscopical examinations for the diagnosis of gonorrhea for any licensed physician in the State, without charge. The Psychiatric Institute at Mendota shall make the necessary examinations of blood or secretions for the diagnosis of syphilis for any licensed physician in the State, without charge.

7. Any person who shall violate any of the provisions of this section shall upon conviction be punished by a fine of not more than \$100 or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment.

Marriage—Certificates of Health Relative to Freedom from Venereal Diseases in Communicable Stage. (Ch. 483, Act June 23, 1917.)

SECTION 1. There is added to the statutes a new section to read:

SEC. 2339*n*. 1. No person who has ever been afflicted with gonorrhea or syphilis shall be granted a marriage license in this State until such person shall furnish to the county clerk issuing the license a certificate from the director of the State laboratory of hygiene, or from the State board of health branch laboratory, or from one of the State cooperative laboratories controlled by the State board of health, setting forth the fact that the necessary microscopical examination has been made and that the individual named in the certificate is not in the infective or communicable state of gonorrhea, or a certificate from the director of the Psychiatric Institute at Mendota setting forth the fact that the necessary blood test for the Wasserman reaction has been made and that the person named in the certificate is not in the infective or communicable stage of syphilis. In all cases where the individual has been afflicted with both gonorrhea and syphilis both such certificates shall be furnished before such license is granted.

2. Such a certificate or certificates shall be furnished to any citizen of this State by the director of any of the laboratories mentioned, without charge.

3. The necessary smears for gonorrhea examinations and the blood for determining the presence of syphilis shall be collected and forwarded to the laboratory by physicians designated by the State board of health or the State health officer, for which a fee not to exceed \$2 may be charged.

4. Any person who shall obtain any such license contrary to the provisions of this section, shall, upon conviction thereof, be punished by a fine of not less than \$100 or by imprisonment in the county jail for not less than three months, or by both such fine and imprisonment.

Marriage—Examination of Male Applicants for Licenses as to Freedom from Venereal Diseases. (Ch. 212, Act May 11, 1917.)

SECTION 1. Subsections 1 and 2 of section 2339m of the statutes are amended to read:

SEC. 2339m. 1. All male persons making application for license to marry shall at any time within 15 days prior to such application, be examined as to the existence or nonexistence in such person of any venereal disease, and it shall be unlawful for the county clerk of any county to issue a license to marry to any person who fails to present and file with such county clerk a certificate setting forth that such person is free from venereal diseases so nearly as can be determined by a thorough examination and by the application of the recognized clinical and laboratory tests of scientific search, when in the discretion of the examining physician such clinical and laboratory tests are necessary. When a microscopical examination for gonococci is required such examination shall upon the request of any physician in the State be made by the State laboratory of hygiene free of charge. The Wasserman test for syphilis when required shall upon application be made by the Psychiatric Institute at Mendota free of charge. Such certificate shall be made by a physician, licensed to practice in this State or in the State in which such male person resides, shall be filed with the application for license to marry, and shall read as follows, to wit:

I,..... (name of physician), being a physician, legally licensed to practice in the State of, my credentials being filed in the office of, in the city of, county of, State of, do certify that I have this day of, 19.., made a thorough examination of (name of person), and believe him to be free from all venereal diseases.

..... (signature of physician).

2. Such examiners shall be physicians duly licensed to practice in this State, or in the State in which such male person resides. The fee for such examination, to be paid by the applicant for examination before the certificate shall be granted, shall not exceed \$2. The county or asylum physician of any county, shall, upon request, make the necessary examination and issue such certificate, if the same can be properly issued, without charge to the applicant, if said applicant be indigent.

Public Health Laws and Regulations—Applicants for License to Practice Medicine Must be Familiar with. Notifiable Diseases—Card Containing List of, to be Displayed in Doctors' Offices and Hospitals. (Ch. 110, Act Apr. 20, 1917.)

SECTION 1. There are added to the statutes two new sections to read:

SEC. 1412b. No license to practice medicine shall be issued to any person until after the applicant shall have filed with the State board of medical examiners a verified statement that said applicant has familiarized himself with the public-health laws of the State and the rules and regulations of the State board of health relating to the prevention and control of the various dangerous, communicable diseases. A copy of such statement shall be forwarded, when the license is issued, to the State board of health.

SEC. 1412c. A card upon which a list of the notifiable, communicable diseases has been printed shall be displayed in a prominent place in the office of each person engaged in the practice of medicine and in each hospital, asylum, or other public or private institution for the treatment of the sick. Such card shall be not less than 1 foot square in size and shall be furnished to each such institution and licensed physician without cost by the State board of health.

Hygienic Laboratories—Annual Appropriation for Establishment and Maintenance.
(Ch. 459, Act June 20, 1917.)

SECTION 1. Subsection 3 of section 20.43 of the statutes is amended to read:

20.43 (3). Annually, beginning July 1, 1917, not to exceed \$7,950 for equipping and operating laboratories of hygiene. Of this there is allotted:

(a) Not to exceed \$2,000 annually for equipping and operating a State branch laboratory of hygiene, to be situated in a city accessible to physicians and health officers in the northern part of the State of Wisconsin, for the conducting of bacteriological and chemical examinations of material from the various contagious and infectious diseases or material from suspected contagious or infectious diseases of men and animals when public health is concerned; on condition that suitable quarters for such laboratory shall be offered to the State free of charge for rent, light, heat, and janitor service.

(b) Not to exceed \$5,950 annually for the establishment and aid in maintenance of not more than seven State cooperative laboratories. All such cooperative laboratories shall be operated in such manner and under such conditions as the State board of health, in its rules and regulations governing the State public health laboratories, may determine.

SEC. 3. This act shall take effect upon July 1, 1917.

State Board of Health—Powers and Duties. (Ch. 145, Act May 2, 1917.)

SECTION 1. Subsection 1 of section 1407a—6 of the statutes is amended to read:

SEC. 1407a—6. 1. The State board of health shall have supervision of the health and life of the citizens of the State and possess all powers necessary to fulfill the duties prescribed in the statutes and to bring action in the courts for the enforcement of health laws and health rules. They shall have power to make sanitary inspections and surveys in all parts of the State and, after due notice, to enter upon and inspect private property in regard to the presence of cases of infectious and contagious diseases and to determine the cause and source of disease. The State board of health at any regular or special meeting may in its discretion empower the State health officer to act for the board upon such matters as it may determine in issuing and enforcing orders in compliance with the public health laws and rules and regulations adopted by the board. Whenever any person, firm, or corporation, feels himself or itself aggrieved by any order of a State health officer, they may have a right of appeal to the State board of health.

Full-Time Health Officers—Municipalities May Employ Jointly. (Ch. 72, Act Apr. 11, 1917.)

SECTION 1. There is added to the statutes a new section to read:

SEC. 1411a. Towns, villages, and cities, however organized, occupying contiguous territory, through their proper officers, may employ a full-time officer or health commissioner jointly, but in all other respects the local health organization in each such town, village, or city shall not be changed. The salary of the health officer or health commissioner, including necessary traveling expenses, shall be paid jointly by the cities, incorporated villages and townships so employing a full-time health officer or health commissioner, in proportion to the population of each such town, village, or city, as determined by the last Federal census, or in such other manner as may be agreed upon by the common councils, village boards and town boards adopting this system. The health officer or health commissioner so appointed shall perform all the duties imposed upon a health officer or health commissioner by the State laws, local ordi-

nances or the rules and regulations of the State or local boards of health. No full-time health officer or health commissioner appointed under the provisions of this section shall engage in any other occupation which will conflict with the performance of his official duties.

Public Health Nurses—Employment by Municipalities Severally or Jointly—Duties.
(Ch. 123, Act Apr. 25, 1917.)

SECTION 1. There is added to the statutes a new section to read:

SEC. 1411a. 1. The local board of health, health commissioner or health officer of any town, village or city may employ public health nurses within the limits of the appropriation made therefor by such town, village or city. The public health nurses shall work under the direction of the health officer, or health commissioner, and may be assigned to investigate infant mortality, the examination or visitation of children excluded from school, the investigation or visitation of cases of tuberculosis, the visitation of the sick, who may be unable otherwise to secure adequate care, the instruction of members of households where sickness exists, or to such other duties as may be appropriate in improving the public health.

2. Towns, villages and cities may through their proper officials employ public health nurses jointly. The salary and other expenses of such public health nurses shall be paid jointly by the towns, villages and cities so employing public health nurses in proportion to the population of each such town, village or city, as determined by the last Federal census, or in such manner as may be agreed upon by the common councils, village boards and town boards adopting this plan.

State and County Tuberculosis Hospitals—Admission and Maintenance of Patients.
(Ch. 568, Act July 5, 1917.)

SECTION 1. Subsections 2 and 3 of section 1421-8, sections 1421-12, 1421-13 and subsection 1 of section 1421-14 of the statutes are amended to read:

SEC. 1421-8. 2. Said judge, upon presentation of the report of the examining physician that said person is afflicted with pulmonary tuberculosis in the incipient or slightly advanced stage and a statement from the superintendent of the sanatorium, that in his opinion the applicant is eligible and that he or she can be received, shall make an investigation and if in his judgment said applicant or his legal representatives are unable to pay such charges, shall approve in writing the application of such person: *Provided*, That such judge may in his discretion require the approval of the chairman of the county board thereto, and in all cases the said judge shall notify the chairman of the county board of his action in such matters. Said judge shall immediately forward to the superintendent of the sanatorium a certificate in writing that said patient is unable to pay said charges and that he or she has a legal settlement in the county in which such application has been so approved.

3. The county from which such patient has been so certified shall be responsible for such patient being provided with the clothes and toilet articles required for each patient and shall be charged with the maintenance of such patient at the rate one-half of the sum charged for maintenance as fixed by the superintendent and the State board of control during the time that he or she remains in said institution as an inmate. Such charges shall be collected in the manner provided by section 561e of the statutes. Any person who may be unable to pay the full charge for maintenance may be received upon paying the amount charged for county patients if the State board of control, after investigation, shall first have found that the patient has truly represented circumstances and is really unable to pay more than the amount charged for county patients.

SEC. 1421-12. Any person suffering from tuberculosis, who shall have been a resident of the State for at least one year, and who is unable to pay for his or her maintenance, shall be received into the institution, within the limits of its capacity, as

determined by the State board of control. Before such person shall be admitted he shall file a statement with the county judge of the county in which he has a legal residence setting forth the fact that he is unable to pay for his care and treatment. The county judge of the county in which such person has a legal residence shall make a thorough investigation of the case, and if in his judgment the applicant, or his legal representatives, are unable to pay for his care, he shall approve in writing the application of such person. The judge shall immediately forward to the superintendent of the institution a statement in writing that such person is unable to pay for his or her maintenance and is suffering from tuberculosis. Upon receipt of such certificate it shall be the duty of the superintendent of the institution to receive and care for such person until the superintendent shall recommend his discharge or removal.

SEC. 1421-13. In all cases where persons desire to be admitted into the institution, at public expense, the county judge of the county in which such person has a legal residence shall, before issuing an order for his admission, cause such person to be examined by a regularly licensed physician who shall file a report with such judge, and if it is found by such judge from the report of such physician that such person is suffering from tuberculosis the order for the admission of such person shall be issued.

SEC. 1421-14. 1. Any person suffering from tuberculosis, who shall have been a resident of the State not less than one year, may be received into any institution provided for by sections 1421-9 to 1421-16, inclusive, and cared for at a rate which shall not exceed the actual cost of maintenance therein: *Provided*, That before such admission, he shall furnish to the superintendent of the institution a certificate of a regularly licensed physician that he is suffering from tuberculosis.

SEC. 2. There is added to section 1421-14 of the statutes, a new subsection to read:

SEC. 1421-14. 4. On the first day of July the trustees of any county operating such an institution shall also certify to the secretary of state the names of all persons who are nonresidents of the county operating such institution and who have been cared for at public expense in such institution, and said secretary of state shall further credit the county in whose sanatorium said nonresident patients are cared for, to the amount of the difference between the regular weekly charge at said sanatorium as determined by the board of trustees and the amount credited by the State under subsection 8 of section 20.17 for the care of such persons. The amount of the difference so credited shall be charged by the secretary of state to the county in which such tubercular patients have a legal settlement and charged thereto in the next tax levy after such certificate is received and approved by the State Board of Control of Wisconsin.

State Tuberculosis Camps—Care and Maintenance of Patients at. (Ch. 607, Act July 10, 1917.)

SECTION 1. Subsection 2 of section 1421-30 of the statutes is hereby repealed and subsections 3 and 4 of section 1421-30 are hereby numbered subsections 2 and 3 respectively.

SEC. 2. There are added to the statutes two new sections to read:

SEC. 1421-31. Any person who is threatened with or recovering from tuberculosis and who shall have been a resident of the State not less than one year may be received into this institution and cared for at the rate determined by the superintendent and State board of control to be the cost of maintenance. Any person who is unable to pay the regular charge per week as fixed by the superintendent and State board of control may, with the approval of the State Board of Control of Wisconsin, be credited for work or services in lieu of the payment of a part, not to exceed one-half, of this charge.

SEC. 1421-32. Any person unable to pay such charges who is threatened with or recovering from tuberculosis and who shall have been a resident of the State for at

least one year, shall be received into said institution within the limits of its capacity as determined by the State Board of Control of Wisconsin. Before such person shall be admitted, he shall file a statement with the county judge of the county in which he has a legal residence, setting forth the facts that he is unable to pay for his care and treatment. The county judge of the county in which such person has such legal residence shall make a thorough investigation of his case and if he finds that the applicant or his legal representatives are unable to pay for his care he shall approve in writing the application of such person. The judge shall immediately forward to the superintendent of the institution a statement in writing that such person is unable to pay for his care and is threatened with or recovering from tuberculosis. Upon receipt of such certificate it shall be the duty of the superintendent of the institution to receive and care for such patient until the superintendent shall recommend his discharge and removal. The county in which such patient has a residence shall be charged at the rate of one-half of the sum charged for maintenance for the time that such person receives treatment at the institution, such charges to be collected in the manner provided by section 561e of the statutes, and the patient shall be required to do such work as may be prescribed by the superintendent and physician.

District Tuberculosis Hospitals—Counties Authorized to Raise Money for Establishment and Maintenance of—Regulation. County Tuberculosis Hospitals—Regulation. (Ch. 298, Act May 28, 1917.)

SECTION 1. A new subsection is added to section 1421-17 of the statutes to read:

SEC. 1421-17. 3. The board of supervisors of any county is authorized to levy taxes, borrow money, or issue bonds to raise a sufficient amount of money, to cover such county's share of the cost of procuring a site, constructing the building or shack, equipping the institution, and for the maintenance thereof.

SEC. 2. Subsection 1 of section 1421-20, and subsection 2 of section 1421-11 of the statutes are amended to read:

SEC. 1421-20. 1. Such trustees shall receive their actual expenses incurred in the performance of their duties and may receive the same compensation for their services as is allowed members of the county board. The trustees shall appoint as superintendent of such institution a graduate trained nurse or a regular licensed physician. In case a graduate trained nurse is appointed as superintendent, the trustees shall also appoint a visiting physician and may also appoint a business manager, other than the superintendent. The trustees shall fix the compensation of the superintendent, and also of the visiting physician and business manager, if any, and shall designate the number of employees of such institution and fix their compensation. The employees shall be selected by the superintendent, subject to the confirmation of the board of trustees. The board of trustees shall appoint one of their members as president and the superintendent of the hospital may be the secretary of the board. The county treasurer of the county in which such institution is located shall be the treasurer of such institution and shall receive all moneys paid for the maintenance of the inmates of such institution and shall disburse all moneys to be paid on account of such institution, such disbursement to be made upon the order of the trustees. The warrants for such disbursements to be drawn on the treasurer by the president and secretary.

SEC. 1421-11. 2. Such trustees shall receive their actual expenses in the performance of their duties and may receive the same compensation for their services as is allowed members of the county board. The trustees shall appoint in all counties, except those counties having a population of over 300,000, as superintendent of such institution a graduate trained nurse, or a regular licensed physician. In case a graduate trained nurse is appointed, the trustees shall also appoint a visiting physician, and may also appoint a business manager, other than the superintendent. The

trustees shall fix the compensation of the superintendent and visiting physician and business manager, if any; and shall designate the number of employees of such institution, and fix their compensation. In counties having a population of more than 300,000 the trustees shall appoint a medical superintendent and fix his compensation. The trustees shall designate the number of employees of such institution and fix the compensation of such employees. The employees shall be selected by the superintendent, subject to the confirmation of the board of trustees.

Pupils—To be Sent Home When Unclean or Infested with Lice or Other Vermin.
(Ch. 97, Act Apr. 17, 1917.)

SECTION 1. There is added to the statutes one new section to read:

SEC. 1408a-1. All teachers shall immediately send home any pupil who is habitually unclean and emits offensive bodily odors, or who is infested with lice or other vermin and shall immediately notify, in writing, the clerk of the school board or the superintendent of schools and the parents or guardian of such pupil, of such condition.

Bakeries and Confectioneries—Licensing—Alterations—Sanitary Regulation. (Ch. 648, Act July 12, 1917.)

* * * * *

SEC. 3. Section 1636-65 of the statutes is renumbered to be section 1410d-5, and amended to read:

SEC. 1410d-5. 1. If in the opinion of the dairy and food commissioner it is necessary to have some action taken or that alterations, additions, or changes are required in or upon any premises occupied and used, or for which application for license to be occupied and used as bakeries or confectioneries, has been filed, in order to conform to the provisions of law for the regulation of bakeries and confectionery establishments, he shall serve a written notice, either personally or by registered mail upon the owner of, manager, or officer operating such bakery or confectionery establishment, requiring such action to be taken or such alterations, changes, or additions to be made within 30 days: *Provided, however,* That if the required alterations can not be made with reasonable diligence within 30 days, the dairy and food commissioner shall extend the time for making such alterations, changes, or additions such reasonable time as may be required to complete the additions, changes, or alterations if due diligence is used, such extension of time in no case to exceed 90 days from receipt of notice, however.

2. It shall be the duty of every occupant, whether owner or lessees of any premises used as a bakery or confectionery establishment for the manufacture of food products to carry out the provisions of sections 1410d-1 to 1410d-8, inclusive, and make, or cause to be made, all changes, additions, and alterations necessary therefor.

SEC. 4. Section 1636-66 of the statutes is renumbered to be 1410d-6, and subsections 1, 2, 4 and 5 of said section are amended to read:

SEC. 1410d-6. 1. It shall be the duty of the dairy and food commissioner and boards of health, both State and local, to see that the provisions of sections 1410d-1 to 1410d-8, inclusive, are enforced. The dairy and food commissioner, his agents and inspectors shall inspect and ascertain the sanitary condition of the bakery and confectionery establishments of the State and of such rooms, buildings, or apartments for which application for license to establish or operate a bakery or confectionery establishment therein has been filed, and shall examine such plans and specifications for buildings, rooms, or apartments to be occupied and used as bakery or confectionery establishments, as may be submitted to them with reference to the laws for their sanitary regulation, and shall require such action to be taken as may be needed to have bakery and confectionery establishments conform to the provisions

of law. It is further provided that the dairy and food commissioner and the State board of health may employ jointly experts, inspectors or other assistants.

2. No building, room, or apartment shall be used for the purpose of establishing or operating a bakery or confectionery establishment for the manufacture of bread and other food products, unless a license is secured as provided in sections 1410d-1 to 1410d-8, inclusive. Application for a license shall be made to the dairy and food commissioner, by any person, firm, or corporation desiring to establish or conduct a bakery or confectionery for the manufacture of bread, confectionery, and other food products of such establishments. Such application shall be made in such form as the dairy and food commissioner may determine, and shall be accompanied by a license fee as provided in subsection 2a of this section. Blank applications therefor shall be prepared and furnished by the dairy and food commissioner. Said application shall describe the construction and condition of the building, rooms, or apartments in regard to the provisions of law for the regulation of such bakery and confectionery establishments in which it is desired to establish or operate such bakery or confectionery establishment; and if said building or room conforms to the provisions of law, the dairy and food commissioner shall grant a license permitting the use of such building, room, or apartments for the purpose of establishing and conducting a bakery and confectionery therein to the person, firm, or corporation having made application. The license so issued shall be deemed void, and shall be surrendered to the dairy and food commissioner, when the person, firm, or corporation to whom it was granted discontinues using the building, room, or apartment to which it applied as a bakery or confectionery establishment, or when another person, firm, or corporation becomes owner, manager, or operator of such bakery or confectionery establishment. Such license may also be revoked by an order of the court upon a second or any subsequent conviction of any violation of or failure to comply with any provisions of sections 1410d-1 to 1410d-8, inclusive. All licenses shall expire on the 28th day of February following the date of issue and shall be renewed upon the application of the licensee and the payment of the fee as provided in subsection 2a of this section.

4. The term "new bakery" as used in chapter 230 laws of 1903, and acts amendatory thereof, is defined to be a bakery established in a room not theretofore used for baking purposes, or in a room constructed for baking purposes after the passage and publication of sections 1410d-1 to 1410d-7, inclusive, of the statutes: *Providing*, That any bakery or bakeshop established before the passage and publication of chapter 486 laws of 1907, the ceiling of which is less than 8 feet high from the floor, and which has not been out of use continuously for a period of over six months, need not be altered so as to make the ceiling 8 feet from the floor.

5. The terms "confectionery" and "confectionery establishment" as used in sections 1410d-1 to 1410d-7, inclusive, of the statutes, are defined to be any room or place where candy, sweetmeats, or any other food products, of which sugar, molasses, chocolate, or nutmeats are the principal ingredients, are prepared, mixed, cooked, dried, formed, coated, or cooled to be sold as food, and any room or place where food, the principal ingredients of which are sugar, milk, cream, or fruit are chilled or frozen or prepared or mixed for chilling or freezing, and any room used for any process incidental thereto.

SEC. 5. Section 1636-67 of the statutes is renumbered to be 1410d-7 and amended to read:

SEC. 1410d-7. 1. Any person who shall use any room, building, or apartment for the purpose of establishing or operating a bakery or confectionery establishment therein without first securing a license permitting him so to do, as provided by sections 1410d-1 to 1410d-7, inclusive, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than \$20 nor more than \$100, or by imprisonment in the county jail for not more than 90 days, or both.

2. Any person operating a bakery or confectionery establishment for the manufacture of bread and other food products, who, by himself or his servant or agent, or as the servant or agent for any firm or corporation, shall violate or fail to comply with any of the provisions of section 1410d-1, or of subsection 1, 2 or 3 of section 1410d-2, or of subsection 2 of section 1410d-5, or of section 1410d-3, 30 days after notice in writing shall have been served upon him personally, or sent through registered mail to him by the dairy and food commissioner, requiring such person to take such action or to make or cause to be made such changes, repairs, or alterations in such bakery or confectionery establishment as may be necessary to have such bakery or confectionery establishment conform to the provisions of law for their sanitary regulation; or if the required changes, repairs, or alterations could in the exercise of reasonable diligence not be made or completed within 30 days, after such additional time as may have been necessary to complete the required action, change, repairs, or alterations has expired, not to exceed 90 days, however, from the receipt of notice in any case; and any person who by himself or his servant or agent, or as the servant or agent of any firm or corporation shall violate or fail to comply with the provisions of section 1410d-4 after one day's notice in writing has been served upon such person by the dairy and food commissioner herein mentioned to discontinue his employment in or about such bakery or confectionery establishment; and any person who by himself or his servant or agent, or as the servant or agent of any firm or corporation, shall violate or fail to comply with the provisions of subsections 4 and 5 of section 1410d-2, shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than \$20, nor more than \$100, or by imprisonment in the county jail for not more than 90 days, or both.

SEC. 6. Section 1636-67m of the statutes is renumbered to be section 1410d-8, and subsection 3 of said section is amended to read:

SEC. 1410d-8. 3. The inspectors and agents of the dairy and food commissioner shall have authority and are authorized to inspect any place where any such products are sold or offered for sale and are charged with the duty of enforcing the provisions of this section.

SEC. 7. There is added to section 1410d-6, a new subsection to be numbered and to read:

SEC. 1410d-6. 2a. The license fee for establishing or operating a bakery shall be \$5 for every bakery equipped with a stove or stoves, oven or ovens, or other baking device or devices having more than 20 square feet and less than 51 square feet of baking surface, and \$10 for every bakery equipped with a stove or stoves, oven or ovens, or other baking device or devices having 51 or more square feet of baking surface. No fee shall be required for the use or operation of a stove, oven or other baking device having less than 20 square feet of baking surface; \$5 for every cone bakery and every macaroni bakery; \$10 for every confectionery establishment manufacturing candy or ice cream for wholesale trade; \$2 for every confectionery establishment manufacturing candy or ice cream for their own retail trade only.

SEC. 8. This act shall take effect upon July 1, 1917.

Soda Water Beverages—Licenses for Manufacture and Bottling. (Ch. 562, Act July 2, 1917, as Amended by Ch. 657, Act July 12, 1917.)

SECTION 1. A new section is added to the statutes and a new subsection is added to section 20.59 of the statutes to read:

SEC. 1410b-10. 1. On and after January 1, 1918, no person, firm or corporation shall engage in the business of manufacturing or bottling any soda water beverage in this State without first obtaining a license therefor from the dairy and food commissioner as hereinafter provided. Such license shall be granted under such reasonable rules and regulations as the dairy and food commissioner may from time to time prescribe pertaining to the proper handling and storing of such beverages and the

construction and sanitary condition of buildings and to the proper cleaning and sterilizing of all machinery, bottles or other containers used in and about the factory and all containers in which the product is sold and he may prescribe such standards of purity for all ingredients used in the manufacture of such beverages as will insure a pure and unadulterated product.

2. Each application for such license shall be made upon an application blank furnished by the dairy and food commissioner upon request and shall state the applicant's name and address and the exact location of the factory for which such license is requested and such other information as the dairy and food commissioner may reasonably require and the dairy and food commissioner shall furnish to the applicant the rules and regulations incident to securing a license.

3. Each application shall be accompanied by a fee of \$5 payable to the dairy and food commissioner, and no license shall be issued until such fee is so paid. In case license is refused, the fee accompanying the application shall be returned by the dairy and food commissioner to the applicant with notification of refusal.

4. Licenses to engage in the manufacture or bottling of any soda water beverage shall expire on the 31st day of December next following the date of issue but may be renewed without inspection on or before the 1st of January of each year upon the application of the licensee and upon the payment of \$5 to the dairy and food commissioner. This act shall not apply to any person, firm or corporation, or to any manufacturing plant engaged wholly or partially in the manufacture of malt liquors or beverages.

5. Licenses to engage in the manufacture or bottling of any soda water beverage shall be deemed void and shall be surrendered to the dairy and food commissioner when the person, firm or corporation to whom it was granted discontinues to use the building, room or apartment wherein such beverage is manufactured or bottled, or when another person, firm or corporation becomes owner, manager or operator of such establishment.

6. The dairy and food commissioner is authorized, after reasonable notice, to revoke any license if the licensee fails to comply with any of the provisions of this section or with any rule or regulation promulgated and issued by the dairy and food commissioner relating to manufacture or bottling of such beverages, and he shall restore to full force and effect any license when the licensee fully complies with all of the provisions of this section and the said rules and regulations.

7. Any person, firm or corporation engaged in the manufacture or bottling of any soda water beverage, whose license has been refused or revoked, being dissatisfied with such order of the dairy and food commissioner, may commence an action in the circuit court for the county in which such person, firm or corporation resides against the dairy and food commissioner as defendant to restore to full force and effect such license on the ground that the refusal or revocation of the license by the dairy and food commissioner is unlawful or unreasonable, in which action the complaint shall be served with the summons. The answer of the commissioner to the complaint shall be served and filed within 10 days after service of the complaint, whereupon said action shall be at issue and stand ready for trial upon 10 days' notice to either party. All such actions shall have precedence over any civil cause of a different nature pending in such court, and the same shall be tried and determined as other civil actions. No injunction shall issue suspending or staying any order of the dairy and food commissioner, except upon application to the circuit court or the presiding judge thereof, notice to the dairy and food commissioner, and hearing.

8. The term "soda water beverage" as used in this section means and includes all such beverages commonly known as soft drinks, as soda water, carbonated or uncarbonated or sweetened and flavored, and mineral and spring waters, carbonated or uncarbonated; and shall not include strong, spirituous, vinous, malt, ardent or intoxicating liquors.

9. Any person violating any of the provisions of this section or any rule or regulation promulgated by the dairy and food commissioner under authority of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$100 or by imprisonment in the county jail not less than 10 days nor more than 30 days, and the license issued to such person shall be revoked.

20.59. (4) All license fees collected by the dairy and food commissioner under the provisions of section 1410b-10 of the statutes shall be paid within one week of receipt thereof into the general fund of the State treasury. All moneys so deposited are appropriated for the use of the dairy and food commissioner to carry into effect the provisions of section 1410b-10.

Sec. 2. This act shall take effect upon January 1, 1918.

Physically Defective or Deformed Children at Birth—Tabulation and Classification—State Board of Health to be Notified of Defects—Care and Treatment. (Ch. 105, Act Apr. 19, 1917.)

SECTION 1. There is added to section 1022-8 a new subsection, to section 1022-30 a new subdivision, to the statutes a new section and to section 561j of the statutes a new subdivision to read:

Sec. 1022-8. 6. He shall at least once each year tabulate and classify all cases of children born with deformity or physical defects in the State since the preceding tabulation or classification, and shall preserve and keep the same on file in his office. Such tabulations or classifications shall be included in the biennial report of the State board of health.

Sec. 1022-30. 22. A statement as to whether or not the child has any deformity or physical defect to be answered "yes" or "no."

Sec. 1022-30m. 1. Within 24 hours after the birth of any child with a deformity or physical defect, the attending physician or midwife, or if there is no physician or midwife in attendance then the parent or guardian of the child, or other responsible person, shall, in addition to and separate from the notice thereof required in the birth certificate, directly notify the State board of health of such deformity or defect and shall explain as fully as possible the exact nature thereof. Said physician or midwife, or parent, guardian, or other responsible person may, in addition to the notice and explanation herein required make such suggestions or recommendations as to the care, treatment or correction of such deformed or defective person, or give such information with reference thereto as he may deem necessary or helpful.

2. The reports, notices or explanations of all cases of congenital deformity or physical defect provided for by this section shall be treated as confidential to the extent that the name or address of the deformed or defective person shall not be published by any newspaper, magazine or other paper or publication of general or special circulation.

3. The secretary of the State board of health shall, immediately upon hearing of any case of congenital deformity or physical defect, give to the State board of control the name and address of the child and such further information with reference thereto as may be necessary or helpful in carrying out the provisions of subdivision 13m of section 561j.

Sec. 561j. 13m. To commit any child deformed or physically defective at the time of birth, or to cause such child to be committed, to such State public school, or to such other appropriate hospital as the board may determine, for surgical or other treatment and care whenever in the judgment of the board such child would be benefited thereby and such treatment has not been or is not likely to be otherwise provided.

Burial Permits. (Ch. 303, Act May 29, 1917.)

SECTION 1. Subsection 3 of section 1022-41, sections 1022-43, 1022-44, and 1022-45 of the statutes are amended to read:

SEC. 1022-41. 3. The undertaker shall deliver the burial permit to the sexton or person in charge of the place of burial before interring the body, or attach the removal permit to the box containing the corpse, when shipped by any transportation company, to accompany the same to destination.

SEC. 1022-43. In case the interment or other disposition of the body is to be made in some registration district other than that in which death occurred, a complete copy of the certificate of death issued by the authorities where the death occurred or the certificate of removal issued when shipped by any transportation company, shall be accepted as a burial permit for the interment of the body.

SEC. 1022-44. No sexton or person in charge of any premises in which interments or cremations are made shall inter or cremate or permit the interment or cremation of any body unless it is accompanied by a burial permit as herein provided.

SEC. 1022-45. Each sexton or person in charge of any burial grounds shall indorse upon the permit the date of the interment over his signature, and shall retain all such permits as a part of his record.

Sewage Pollution of Water Supplies and Streams—Investigation by State Board of Health—Sewage Disposal—Compensation of Land Owners Suffering Damage from. (Ch. 430, Act June 14, 1917.)

SECTION 1. Section 1407m-1 of the statutes is amended to read:

SEC. 1407m-1. Whenever the common council, town board, village board or board of health of any city, village or town or whenever 10 per cent of the electors of any city, village or town as determined by the total vote cast therein for all candidates for governor at the last general election make complaint in writing to the State board of health, that a city, village, corporation or person is discharging or permitting to be discharged any sewerage or other waste into any stream, watercourse, lake or pond, ditch or drain, and is thereby creating a public nuisance detrimental to health or comfort, or is polluting the source of any public water supply, it shall be the duty of the State board of health to forthwith investigate, or cause to be investigated, the conditions complained of; and whenever the State board of health finds after careful investigation that the source of public water supply of any city, village or community in this State is being subject to contamination, or has been rendered impure by reason of discharge of sewerage or other wastes, or whenever said board finds that such sewerage or other waste have so corrupted any stream, watercourse, lake or pond, ditch or drain, and that such contamination, impurity or corruption is detrimental to the public health, it shall notify such city, village, corporation or person causing the contamination, corruption or pollution of any such stream, watercourse, lake, pond, ditch, drain or banks adjacent thereto, of its findings, and all expense incurred in making such investigations and all succeeding investigations found necessary to establish the stability or character of the effluent shall be paid for by the parties owning the plant.

SEC. 2. A new section is added to the statutes to read:

SEC. 1407-1. 1. When any city or village shall establish and construct a system of sewerage, for which the plans and specifications have been approved by the State board of health, the outflow from such system may be discharged into any ditch or drain laid out or constructed pursuant to law.

2. Such city or village or the owner of any parcel of land through which such ditch or drain is constructed may apply to the circuit court of the county in which the land is located to have ascertained and determined the compensation to which the owner

of land may be entitled for the damages for the additional burden, if any, upon his land caused by the use of such ditch or drain for the outflow from said system of sewerage. No injunction to restrain the city or village from using such system of sewerage or from discharging the outflow therefrom into the ditch or drain shall be granted until the compensation shall have been finally fixed and determined and payment thereof refused. Unless within six months after the city or village has completed its system of sewerage the owner of any parcel of land through which such ditch or drain is constructed shall institute proceedings to have his compensation fixed and determined as herein provided, he shall be forever barred from commencing any action or proceeding to recover the same. The proceedings hereunder shall be conducted in accordance with the provisions of the statutes relating to the determination of the compensation of the landowner where the right of eminent domain has been exercised by railroad companies, and all the provisions of law relating to that subject so far as possible shall apply to proceedings hereunder.

Sewer and Water Connections—May be Required in Cities and Incorporated Villages.
(Ch. 283, Act May 25, 1917.)

SECTION 1. There is added to the statutes a new section to read:

SEC. 1418a-1. Any city or incorporated village having systems of waterworks and sewerage may by ordinance require dwelling houses or other buildings used for human habitation within the corporate limits of such city or village, when such building or buildings are located adjacent to a public sewer and a public water supply, or in a block through which sewer and water systems extend, to be connected with such sewer and water systems in such manner as may be deemed necessary by the board of health, or by the board of public works where such board exists. If any person or persons fails, neglects or refuses to so connect any building or buildings with the public sewer and water systems of such city or incorporated village, as herein provided, for more than 10 days after being notified to do so in writing by the board of health or the board of public works, any such city or incorporated village may cause such building or buildings to be connected with said sewer and water systems. In case such city or village shall cause such building or buildings to be connected with said public sewer and water systems, the costs and expenses thereof shall be assessed as a special tax against the property and premises so connected, and such amount shall be levied and collected in the same manner as other taxes.

Hotels—Common Drinking Cups and Common Towels Prohibited—Toilets—Bedding—Drinking Fountains—Cleanliness. Restaurants—Water and Sewer Connections—Drinking Fountains—Common Drinking Cups Prohibited—Cleanliness. (Reg. Bd. of H., Jan. 31, 1917.)

[The rules¹ of the State board of health relating to hotels and restaurants have been amended as follows:]

Amend subsection c of rule 3 so that it will read as follows:

(c) Each hotel shall be provided with a public washroom, which must be supplied with clean individual towels as provided by law. The use of the common roller towels is prohibited. Also at least one public toilet for each 15 sleeping rooms or fraction thereof, that are without toilets, in addition to those provided with individual toilets.

Add subsection e to rule 3 to read:

(e) All restaurants in cities, villages and towns adjacent to a public sewer system and the public water supply, or in a block through which a public sewer and water extends, shall on or before July 1, 1918, be equipped with a suitable lavatory and a

¹ Pub. Health Repts. Reprint 279, p. 176.

sink in the restaurant kitchen, connected in a proper manner with the public sewer and water systems.

Repeal subsections *b* and *c* of rule 11, and substitute in lieu thereof the following:

(*b*) The top and under sheet to be of sufficient size to completely cover the mattresses and fold under on sides and ends. Both sheets, after January 1, 1918, must be at least 96 inches long after being laundered.

(*c*) After January 1, 1919, the use of quilts and comforts on transient beds must be discontinued.

Repeal subsection *a* of rule 17 and substitute in lieu thereof the following:

(*a*) All hotels and restaurants equipped with sewerage and running water must by July 1, 1918, be provided with bubbling drinking fountains. In all hotels and restaurants where bubbling fountains can not be installed, clean individual drinking cups or glasses for each guest must be provided upon request.

Amend rule 15 so that it will read as follows:

RULE 15. All premises connected with, or used by, any hotel or restaurant shall be kept in a sanitary condition, and it shall be the duty of the local health officer, either upon his own initiative, or upon the complaint of any citizen, deputy State health officer, or hotel inspector, to take such action as may be necessary to abate any nuisance, source of filth, or cause of sickness, existing on the premises as required by section 1414 of the statutes. The ceilings, walls and floors in all cellars or basements used in connection with hotels and restaurants must be kept clean. The ceiling and walls in every hotel and restaurant cellar or basement where food is kept or stored must be whitewashed or painted as often as necessary to keep them in a sanitary condition.

Toilets in Places of Employment, Public Buildings, and Certain Other Places—Location and Construction. Places of Employment—Common Drinking Cups and Common Towels Prohibited—Drinking Water. (Reg. Bd. of H., June 27, 1917, and Reg. Industrial Commission, June 30, 1917.)

Toilet rooms; new installations; public buildings and places of employment.—"Approval by the proper authorities" means:

1. By the State board of health or industrial commission; or
2. By the city building department or city health department where such department, acting under the provisions of a city ordinance, issues an order or a permit for the work in question; or
3. By the city plumbing inspector in cases not covered by 2.

SEC. (Order) 5250. Toilet rooms required.—Every place of employment and every public building hereafter constructed (including all buildings covered by the State building code), shall have adequate toilet rooms, completely inclosed, and so arranged as to insure privacy; except that in foundries, rolling mills, blast furnaces, tanneries, and such other similar buildings as are specified by the industrial commission, partitions inclosing toilets shall be at least 7 feet high but need not be carried to the ceiling nor inclosed at the top, provided such ceiling is at least 15 feet high, and provided such toilets are located in rooms which females are not allowed to enter.

Note.—The above exception will be permitted even though the ceiling is lower than 15 feet, if local ventilation through the closet bowl is provided in a manner approved by the industrial commission or State board of health.

Toilet rooms should, if possible, be placed on each occupied floor, especially in factories. Much time may thus be saved.

SEC. (Order) 5251. Toilet rooms for the two sexes.—Where the two sexes are accommodated, separate toilet rooms shall be provided, except—

- (1) In apartment houses;
- (2) If approved in writing by the proper authorities, in buildings accommodating not more than five persons of both sexes, provided the door of such toilet room is kept

locked and the key is kept in a place accessible to all such persons. But whenever the number of such persons shall exceed five, separate toilet rooms shall be provided.

Entrances to toilet rooms for the two sexes shall be properly separated, by screens or otherwise, and shall wherever possible be at least 20 feet apart.

SEC. (Order) 5252. *Sex designated.*—Wherever women are employed or accommodated, each toilet room shall be distinctly marked with regard to the sex which uses it, and no person shall be allowed to use a toilet room assigned to the other sex, except as provided in order 5251.

SEC. (Order) 5253. *Location, light, ventilation.*—Every toilet or bathroom shall be so located as to open to outside light and air, by windows or skylight openings directly upon a street, alley, court, or vent shaft, except as hereinafter provided. Every such vent shaft shall have a horizontal area of at least 1 square foot for each water-closet or urinal adjacent thereto, but the least dimension of such shaft, if one story high, shall not be less than 3 feet; if two stories high, not less than 4 feet; and 1 foot additional for each additional story.

The glass area for a toilet room containing one closet or urinal shall be at least 4 square feet, with 2 square feet additional for each additional closet or urinal.

In addition to the windows herein required, each toilet room which contains more than three fixtures (closets and urinals) shall have a vent flue of incombustible material, vertical or nearly so, running through the roof, with proper cap or hood, and of not less than the following size:

Four fixtures.....	8 inch pipe.
Five or six fixtures.....	10 inch pipe.
Seven to ten fixtures.....	12 inch pipe.

But if the windows or skylights can not be opened, then vent pipes shall be provided as specified in order 5254.

No toilet room shall have a movable window or ventilator opening on any elevator shaft, or any court which contains windows of sleeping or living rooms above; except that a toilet room containing not more than two closets may have a movable window on such court, provided such room has a vent flue running above the roof.

SEC. (Order) 5254. *Location without outside windows; when permitted.*—If a location with outside windows is impracticable, a different location will be permitted, as follows:

- (1) For a toilet used by not more than three persons—without special permit.
- (2) For a toilet in a new building, used by more than three persons,—only with the written approval of the industrial commission or State board of health.
- (3) For a new toilet in an existing building, used by more than three persons,—only with the written approval of the proper authorities.

Such approval shall be granted only where a location with outside windows is not reasonably possible.

Where a toilet room without outside windows is permitted, it shall have a fixed window or windows to an adjoining room, with glass area as provided above, arranged so as to furnish as much light as possible. Frosted or other translucent glass shall be used when necessary for privacy. In no case shall the floor be of wood. A vent flue of incombustible material shall be provided, vertical or nearly so, running through the roof, with proper cap or hood, and of not less than the following size:

One fixture (closet or urinal).....	6 inch pipe.
Two fixtures.....	8 inch pipe.
Three fixtures.....	10 inch pipe.
Four or five fixtures.....	12 inch pipe.
Six or seven fixtures.....	14 inch pipe.
Eight to ten fixtures.....	16 inch pipe.

Notes.—(1) Glass area 50 per cent greater than required, is recommended.

(2) An air inlet is recommended if it can be made soundproof.

(3) A fan in the flue will be required if necessary for proper ventilation. If there is no fan a steam coil, or even an electric light at the bottom of the flue, will help to produce circulation. Where a metal vent pipe extends above the roof, a double pipe or other insulation against cold, is recommended.

(4) Closets provided with a local vent are recommended and may be required in some cases before approval is granted.

SEC. (Order) 5255. *Artificial light.*—Every toilet room (except in a private apartment) shall be artificially lighted during the entire period that the building is occupied, wherever and whenever adequate natural light is not available, so that all parts of the room are easily visible.

SEC. (Order) 5256. *Size.*—Every toilet room shall have at least 10 square feet of floor area, and at least 100 cubic feet of air space, for each water-closet and each urinal.

SEC. (Order) 5257. *Floor.*—The floor and base of every toilet room shall be constructed of material (other than wood) which does not readily absorb moisture and which can be easily cleaned; except that wood floors may be used

(1) In private apartments;

(2) If approved in writing by the proper authorities, in existing buildings where there is an existing wood floor in good condition and where such toilet will be used by not more than five persons: *Provided further*, That such room must have an outside window or skylight.

SEC. (Order) 5258. *Walls and ceilings.*—The walls and ceiling of every toilet room shall be completely covered with smooth cement or gypsum plaster, glazed brick or tile, galvanized or enameled metal, or other smooth, nonabsorbent material. Wood may be used if well covered with two coats of body paint and one coat of enamel paint or spar varnish. But wood shall not be used for partitions between toilet rooms nor for partitions which separate a toilet room from any room used by the opposite sex. All such partitions shall be as nearly sound-proof as possible.

SEC. (Order) 5259. *Partitions between fixtures.*—Adjoining water-closets shall be separated by partitions. Each individual urinal or urinal trough shall be provided with a partition at each end and at the back, to give privacy. Where individual urinals are arranged in batteries, a partition shall be placed at each end and at the back of the battery. A space of 6 to 12 inches shall be left between the floor and the bottom of each partition. The top of the partition shall be from 5½ to 7 feet above the floor. Doors, of same height as required for partitions, shall be provided for water-closet compartments used by females. Doors at least 24 inches high, with the center of the door about 3 feet above the floor, shall be provided for water-closet compartments used by males. All partitions and doors shall be of material and finish required by order 5258 for walls and ceilings.

Note.—Wood is not recommended; if used, it should be hard wood.

SEC. (Order) 5260. *Fixtures.*—Only individual water-closets of porcelain or vitreous chinaware shall be used. (See State plumbing code, sections 51-54, for further details, also for type of frost proof closets permitted.) Water-closet seats shall be of wood or other non-heat-absorbing material, and shall be finished with varnish or other substance so as to be impervious to water.

Note.—Individual urinals, flush with the floor, are recommended, with floor pitched toward the urinals. If trough or lip urinals are used, a floor drain should be provided below the urinals, and the floor must pitch toward the drain.

SEC. (Order) 5261. *Protection from frost.*—All water-closets and urinals and the pipes connecting therewith shall be properly protected against frost, either by a suitable insulating covering or by providing and operating a suitable heating apparatus,

or in some other approved manner; so that such water-closets and urinals will be in proper condition for use at all times.

Note.—Toilets should be adequately heated in cold weather. Heating equipment should be arranged to permit cleaning of floors and walls.

SEC. (Order) 5262. *Where no sewer system is available.*—Each water-closet and urinal and each lavatory or slop sink located in a toilet room shall be connected with a sewer system, where a sewer system is available. In locations where a sewer system is not available, or can not be made available, the disposal of human waste may be accomplished as follows:

(1) Sewage treatment tank and disposal system.

(2) Where the local conditions make it impractical to install such systems, outdoor toilets (see order 5263) or other facilities permitted by the State board of health may be used: *Provided*, That in the case of places of employment for more than 10 persons, schools larger than one room, and apartment or tenement houses, water flush toilets as herein described shall be provided, unless outdoor toilets or other facilities are permitted in writing by the industrial commission or State board of health.

SEC. (Order) 5263. *Outdoor toilets.*—Outdoor toilets shall comply with orders 5250 to 5259, inclusive, and in addition shall be

(1) Located on ground that is well drained, and where there is no possibility of contaminating any drinking water supply.

(2) Provided with suitable approach, such as concrete, gravel or cinder walk.

Note.—For schools a concrete walk is recommended.

(3) The foundations shall be of concrete or other masonry.

(4) The vault shall extend at least 6 inches above ground, be as dark as possible, and be proof against entrance by flies, rats or other vermin. The upper portion shall be of concrete, or of brick or stone laid in cement mortar. If in damp ground, the entire vault shall be of concrete, or of brick or stone laid in cement mortar.

(5) All windows, ventilators and other openings shall be screened to prevent the entrance of flies, and all doors shall be self-closing. A separate ventilator shall be provided for the vault and shall extend above the roof and be provided with an effective ventilating hood.

(6) The entire installation must be kept clean and sanitary. Milk of lime (freshly slaked lime) or other equally effective disinfectant must be used in the vault and in the urinal trough in sufficient quantities and at frequent intervals. The floors, seats and urinals must be scrubbed as often as necessary. The vault must be cleaned out at proper intervals.

SEC. (Order) 5264. *All toilets: cleanliness.*—Every toilet room and every part thereof, including walls, floors and ceiling and all fixtures therein, must be kept clean, efficient, and in good repair. In each toilet room sufficient toilet paper must be provided, and it must be made of material which will not obstruct the fixtures in such toilet room.

SEC. (Order) 5265. *Indecent pictures.*—Indecent or suggestive marks, pictures, or words are forbidden in toilet rooms, and such defacement when found must be at once removed.

SEC. (Order) 5532. *Theaters and assembly halls.*—Separate toilet rooms in connection with the auditorium shall be provided for males and females. One closet shall be installed for each 200 females or fraction, and one closet and one urinal for each 300 males or fraction, assuming the audience to be equally divided between males and females.

SEC. (Order) 5618. *Schools.*—School buildings shall have the following sanitary equipment:

One water-closet for every 20 females or fraction, except for grammar and primary grades, where there shall be one water-closet for every 15 females or fraction.

One water-closet and one urinal for every 40 males or fraction, except for grammar and primary grades, where there shall be one water-closet and one urinal for every 30 males or fraction. Toilet accommodations for males and females shall be placed in separate rooms with doors not less than 20 feet apart.

A drinking fountain and sink shall be installed in each story and basement, for each 6,000 square feet of floor area, or fraction. A proper number of washbowls shall be provided.

Note.—Ordinarily there should be at least one washbowl for every two closets and urinals. Washbowls should be placed either in the toilet room or immediately outside.

Where privy vaults are permitted the building containing the same shall be placed at least 20 feet from any other occupied building.

SEC. (Order) 5722-3. *Apartment houses, hotels, lodging houses, club-houses, dormitories, hospitals, asylums and places of detention.*—Every apartment shall have a water-closet in a bathroom or separate compartment; except that where there are apartments consisting of but one or two rooms, there shall be at least one water-closet for every two such apartments.

All other buildings of this classification shall have at least one water-closet for every 15 rooms or fraction thereof.

NOTE.—Rooms with private water-closets shall not be considered in counting either the number of rooms or the number of water-closets.

In every building of this classification where city water supply is available or can be made available, there shall be at least one proper sink or washbowl with running water. In apartment houses there shall be such a sink or washbowl in each apartment.

NEW AND EXISTING INSTALLATIONS—PLACES OF EMPLOYMENT.

SEC. (Order) 2200. *Toilet rooms required.*—Every place of employment, whether heretofore or hereafter constructed, shall have adequate toilet rooms, completely enclosed, and so arranged as to insure privacy; except that in foundries, rolling mills, blast furnaces, tanneries, and such other similar buildings as are specified by the industrial commission, partitions enclosing toilets shall be at least 7 feet high but need not be carried to the ceiling nor enclosed at the top, provided such ceiling is at least 15 feet high, and provided such toilets are located in rooms which females are not allowed to enter.

Note.—The above exception will be permitted even though the ceiling is lower than 15 feet, if local ventilation through the closet bowl is provided in a manner approved by the industrial commission or State board of health.

Toilet rooms should, if possible, be placed on each occupied floor, especially in factories. Much time may thus be saved.

SEC. (Order) 2201. *Toilet rooms for the two sexes.*—Where the two sexes are accommodated, separate toilet rooms shall be provided, except (if approved in writing by the proper authorities) in buildings accommodating not more than five persons of both sexes, provided the door of such toilet room is kept locked and the key is kept in a place accessible to all such persons. But whenever the number of such persons shall exceed five, separate toilet rooms shall be provided. Entrances to toilet rooms for the two sexes shall be properly separated, by screens or otherwise, and shall wherever possible be at least 20 feet apart.

SEC. (Order) 2202. *Sex designated.*—Wherever women are employed, each toilet room shall be distinctly marked with regard to the sex which uses it and no person shall be allowed to use a toilet room assigned to the other sex, except as provided in order 2201.

SEC. (Order) 2203. *Number of closets and urinals.*—In every place of employment, whether heretofore or hereafter constructed, one water-closet shall be provided for every 20 persons, or fraction thereof, of either sex.

In addition thereto, where more than 10 males are employed, one urinal shall be provided for every 40 males, or fraction. Where not more than 10 males are employed, either a urinal shall be provided or the water-closet shall have a projecting lip and self-rising seat. Where trough urinals are used, each two feet of trough shall constitute one urinal.

For number of lavatories, see order 2212.

SEC. (Order) 2204. *Cleanliness*.—Every toilet room and every part thereof, including walls, floors and ceiling, and all fixtures therein, must be kept clean, efficient and in good repair. In each toilet room sufficient toilet paper must be provided, and it must be made of material which will not obstruct the fixtures in such toilet room.

SEC. (Order) 2205. *Indecent pictures*.—Indecent or suggestive marks, pictures, or words are forbidden in toilet rooms, and such defacement when found must be at once removed.

SEC. (Order) 2206. *Existing toilet rooms; walls*.—In toilet rooms at present installed the walls must not be covered with paper. If the walls and ceiling are constructed of wood, they must be covered with a nonabsorbent paint.

SEC. (Order) 2207. *Existing toilet rooms; ventilation*.—Every toilet room heretofore installed, which is not adequately ventilated by outside windows or skylight, shall be provided with a vent flue of size specified in order 5254, in which a fan shall be placed, if necessary, for proper ventilation.

Every such toilet room which can not be kept sanitary shall be moved so as to be open to outside light and air.

SEC. (Order) 2208. *Artificial light*.—Every toilet room shall be artificially lighted during the entire period that the building is occupied, wherever and whenever adequate natural light is not available, so that all parts of the room are easily visible.

SEC. (Order) 2209. *Water-closets at present installed*.—Each water-closet at present installed must be provided with a flushing appliance, which will be as effective in its operation as the type of closet requires.

Each water-closet must be kept clean and in good repair and obstructions must be removed at once.

Note.—Pan, plunger and offset types of water-closets at present installed will be condemned when found in foul condition, or without adequate flush. Long hopper and range closets at present installed will be condemned when the interior surface becomes so rusted and corroded that it can not be kept sanitary. No such fixture shall be replaced except with the approved type specified for new installations.

SEC. (Order) 2210. *Partitions between fixtures*.—Adjoining water-closets or seats of range-closets must be separated by partitions not less than 5 feet in height. Each individual urinal or urinal trough must be provided with a partition at each end and at the back to give privacy. Where individual urinals are arranged in batteries, a partition must be placed at each end and at the back of the battery. For new installations see order 5259.

SEC. (Order) 2211. *Existing outdoor toilets*.—Existing outdoor toilets will be permitted, until public water and sewer systems are available, if they comply with orders 2200 to 2210, inclusive, and in addition are:

- (1) Completely enclosed and separate from any other building.
- (2) Advantageously located from the standpoint of convenience, privacy, and sanitation.
- (3) Located on ground that is well drained, and where there is no possibility of contaminating any drinking water supply.
- (4) Provided with suitable approach, such as concrete, gravel or cinder walk.
- (5) The vault must be made tight above the ground so that flies, rats and other vermin can not get into it.
- (6) All windows, ventilators, and other openings must be screened to exclude flies, and all doors must be self-closing.

(7) When the vault is filled to the level of the ground, it must be cleaned out. If a new vault is constructed it must be made in accordance with the requirements for new installations, and the old vault must be properly cleaned, limed and filled with fresh earth.

(8) The entire installation must be kept clean and sanitary. Milk of lime (freshly slaked lime) or other equally effective disinfectant must be used in the vault and in the urinal trough in sufficient quantities and at frequent intervals. The floors, seats, and urinals must be scrubbed as often as necessary.

SEC. (Order) 2212.—*When water and sewer become available.*—Within one year after water and sewer systems become available, water-closets, urinals, and lavatories shall be provided.

LAVATORIES.

SEC. (Order) 2213. Adequate washing facilities shall be provided in or near every toilet room. In new installations there shall be at least one lavatory for every five fixtures (closets and urinals) or fraction.

Note.—One lavatory for every two or three fixtures is recommended.

SEC. (Order) 2214. Adequate washing facilities shall be provided (1) in all industries where lead, arsenic, or other poisonous or injurious materials are handled by the employees, and (2) in industries where food is prepared or manufactured, and (3) in glue factories, foundries, machine shops and other industries where the employees' hands become dirty or greasy, except that in industries of the last mentioned class, located in small towns, where the employees go home at noon, this requirement may be waived by the industrial commission. In new installations there shall be at least one lavatory for every 10 employees, or fraction, and hot water shall be provided. Basins or troughs for common use are prohibited.

Notes.—(1) Washing facilities where the employees must necessarily wash in running water, are recommended. A large trough without stopper, where each person washes in running water from an individual faucet, is generally better than separate bowls.

(2) One lavatory or faucet for every five employees is recommended.

(3) Adequate washing facilities are recommended for all industries.

(4) Washrooms should be constructed according to the requirements for toilet rooms, as far as possible.

SEC. (Order) 2215. All lavatories must be made of porcelain, enameled iron, or other impervious material.

TOWELS.

SEC. (Order) 2216. In all places of employment the use of towels in common is prohibited. Where lavatories are required, individual cloth towels or paper towels shall be furnished by the employer.

DRINKING WATER.

SEC. (Order) 2217. Each place of employment must be supplied with sufficient pure drinking water and the faucets or outlets for same must be placed convenient to the employees. Common drinking cups are prohibited. Sanitary drinking fountains must be installed or individual cups must be provided by the employer.

Social Insurance—Investigation by Joint Committee of the Legislature. (J. R. 24, 1917.)

That a committee consisting of three assemblymen and two senators be appointed in the manner that standing joint committees are appointed, to thoroughly investigate the subject of "social insurance," including insurance against occupational diseases and sickness, as to the necessity as well as the wisdom of legislation upon this subject, and, in the event of such committee determining that legislation upon this subject is justified, that it prepare a bill or bills covering the said subject.

That the mention of any line of inquiry herein shall not in any way limit the field of investigation which said committee is empowered to make and which it may deem expedient in connection with the subject matter assigned to it for consideration; that the said committee by a majority vote of the members thereof is hereby vested with plenary power to perform and discharge the duties by this resolution enjoined; that any member of said committee shall have power to administer oaths to persons appearing before such committee; that the said committee shall have power to employ such stenographers, clerks, assistants, and experts as it may deem necessary and expedient for the proper discharge of the duties hereby assigned to it, and to fix the compensation of such persons as it shall employ.

That each member of the said committee shall be reimbursed by the State for his actual necessary expenses, but shall receive no compensation for time devoted to the work of such committee.

That a copy of the report of such committee, together with any bill or bills framed by it, shall be sent to each member of the next legislature at least 30 days before the convening of the next regular session of the legislature.

That the said committee shall hold such meetings at such times and places as it shall deem most expedient in the discharge of the duties hereby imposed.

Commission on Social Insurance—Powers and Duties. (Ch. 604, Act July 10, 1917.)

SECTION 1. The committee of the legislature appointed under the provisions of such joint resolution is hereby authorized and empowered to do all things and perform all acts necessary and convenient to carry out the provisions of such resolution and of this act, and such authorization and power on the part of said committee shall continue after the adjournment of this legislature and until such time as the said committee shall have fully discharged the duties imposed upon it by said resolution. The said committee shall and is hereby directed and authorized to thoroughly investigate the subject of "social insurance," with the end in view of determining the necessity therefor, the wisdom thereof, and the most feasible and practical method of accomplishing the sought for ends, if the committee shall determine that legislation is justified—it being the intent and the purpose of the legislature in the creation of said committee to investigate the subject and determine the policy of the State from the standpoint of conditions in Wisconsin. The said committee is further directed to report its findings to the governor and the members of the next regular session of the legislature as specified in said resolution. The mention of any line of inquiry herein or in said resolution shall not in any way limit the field of investigation which the said committee is empowered to enter upon and which it shall deem necessary or expedient in connection with a thorough investigation of the subject matter assigned to it.

SEC. 2. The said committee is hereby vested with plenary power to perform and discharge the duties imposed upon it by said resolution and by the provisions of this act. Each member of said committee shall have power to administer oaths to persons appearing before such committee.

SEC. 3. The said committee shall have power to employ such stenographers, clerks, assistants, and experts as it may deem necessary and expedient for the proper discharge of the duties hereby assigned to it, and to fix the compensation of such persons as it may employ.

SEC. 4. The committee is hereby authorized to hold such meetings at such places and at such times as it may deem most expedient, and said committee may by subpoena issued over the signature of the chairman or acting chairman of said committee and served in the manner in which circuit court subpoenas are served, examine and compel the attendance of witnesses and the production of books, papers, documents, and records deemed necessary or convenient to be examined or used by it in the course of its investigation.

SEC. 5. If any witness subpoenaed to appear before said committee shall refuse to appear or to answer inquiries propounded, or shall fail or refuse to produce books, documents, papers, and records within his possession or control when the same are demanded by the committee, such committee shall report the facts to the circuit court of the county in which such examination is being conducted, and it shall be the duty of such court to compel obedience to such subpoena by attachment proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

SEC. 6. The said committee is authorized to print and send to each member or member-elect of the next regular session of the legislature, at least 30 days before the convening of such session, a copy of the findings and recommendations of such committee, together with any bill or bills that may be framed by it.

SEC. 7. Each member of the said committee shall be reimbursed by the State for his actual and necessary expenses, but shall receive no compensation for time devoted to the work of such committee.

SEC. 8. There is appropriated from the general fund not to exceed \$5,000 to carry out the provisions of this act and the said joint resolution. All bills for the expenses of such committee, including witness fees, the compensation of stenographers, clerks, assistants, and experts employed by such committee, shall be approved by the committee and certified by the chairman thereof to the governor and the secretary of state, who shall audit the same, and such secretary shall issue his warrant therefor upon the State treasurer.

Animals—Disposal of Dead Bodies. (Ch. 308, Act May 29, 1917.)

SECTION 1. There is added to the statutes a new section to read:

SEC. 1491*m*. 1. No person, firm or corporation shall deposit or throw or allow to be deposited or thrown into any stream, lake or swale, or leave or deposit or cause to be left or deposited upon any public highway or other place in this State the carcass of any dead animal; and no person, firm or corporation shall deposit or leave or permit to be deposited or left upon any premises under their control the carcass of any dead animal exposed in such manner as to be reached by dogs or wild animals for a longer period than 24 hours in the months of April to November, inclusive, or two days during the months of December to March, inclusive.

2. No person, firm or corporation shall transport, haul or drag or permit to be transported, hauled or dragged along any public highway in this State the carcass of any animal suspected of having died from anthrax, black-leg, rabies, foot and mouth disease, glanders or any other contagious disease except for the purpose of removing such carcass to a rendering plant and in such cases such removal shall be in such manner as not to permit any liquid or contaminated matter to drop upon the public highway. All such carcasses shall be burned or buried at least 4 feet below the surface of the ground and shall be completely covered so as to prevent their being devoured by rodents, wild animals or dogs. Whenever it is necessary to transport any such carcass across any public highway to a convenient burial place, it shall be transported in such manner as not to contaminate any part of the public highway traversed.

3. Any dead animal found upon a public highway or other public place in this State shall, in case the owner of such animal cannot be found, be buried or otherwise disposed of at public expense by the proper health officer of the town, city or village wherein such animal is found.

4. Any person, firm or corporation violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$25 nor more than \$100.

Barber Shops—Regulation. (Reg. Bd. of H., Jan. 31, 1917.)

[The rules ² of the State board of health relating to barber shops have been amended as follows:]

Rule 4 is amended to read:

The location of a barber shop in a store or saloon is prohibited, except in cases where there is no established barber shop in the town, and then only by special permission of the State board of health. Barber shops located in a room or rooms where pool or billiards constitute part of the business must be partitioned off by a solid board, metal or part glass partition at least 6 feet high, with doors. The partition may be 6 inches from the floor and contain windows. The sale of tobacco, newspapers, candy in original packages and shoe shining are permitted in conjunction with the management of a barber shop. In all other cases barber shops must be located in a room or rooms separate from other lines of business.

Rule 6 is amended to read as follows:

No owner or manager of a barber shop shall permit any person suffering from a communicable skin disease or from a venereal disease to act as a barber in said shop unless upon the written order of a physician.

Rule 18 is renumbered to be rule 19 and a new rule to be numbered 18 was adopted to read as follows:

RULE 18. Master, journeyman or apprentice license cards must be conspicuously displayed in front of the working chair.

Rendering Plants—Sanitary Regulation—State Board of Health to Make and Enforce Regulations Governing. (Ch. 130, Act Apr. 27, 1917.)

SECTION 1. There are added to the statutes three new sections to read:

SEC. 1418-1. The State board of health shall make and enforce necessary rules and regulations relating to the location, construction and operation of rendering plants or other similar institutions where the carcasses of dead animals or other similar products are handled and disposed of. The board may upon its own motion or upon written complaint inspect and examine any such rendering plant, and if it shall find that the same is being operated in an insanitary manner, or that it is so located, constructed, drained or is maintained in such manner that a nuisance is created, or other conditions exist which are dangerous to the public health, the State board of health shall make such order, or orders, as may be necessary to properly rectify and remedy any such method or manner of operation, or any such conditions so as to protect the public health. Such order shall specify the time within which the same shall be complied with, and shall be delivered in person, or by registered mail, to the person to whom the same is directed.

2. The rules and regulations adopted by the State board of health in conformity with this section shall be published in the official State paper, and when so published they shall have the force of law.

SEC. 1418-2. Any person who shall violate any of the provisions of section 1418-1, or any rule or regulation adopted by the State board of health, governing the location, construction, drainage or operation of rendering plants, or other similar institutions, or any lawful order issued by the State board of health, governing the location, construction, drainage, or operation of rendering plants or other similar institutions, shall be guilty of a misdemeanor and upon a conviction thereof shall be punished by a fine of not less than \$10 nor more than \$500, or by imprisonment in the county jail for not less than 30 days nor more than six months.

SEC. 1418-3. The district attorney of each county shall prosecute every person violating any of the provisions of section 1418-1, or any order or rule of the State board of health adopted in compliance with said section, and shall fully cooperate with said board in the enforcement of the laws, rules and regulations relating to rendering plants. The provisions of this act shall not apply to cities of the first class.

² Pub. Health Repts. Reprint 338, p. 590.

WYOMING.

Dairy Cows—Tuberculin Test—Cleaning and Disinfection of Dairy Barns and Premises. (Ch. 77, Act Feb. 19, 1917.)

SECTION 1. *Tuberculin test of dairy cattle; penalty.*—All cows in the State of Wyoming supplying milk or cream in cities or towns, or to creameries in this State, shall be tuberculin tested for tuberculosis; and all bulls which are or are known to have been exposed to such cows, shall also be tested as above. If necessary, the State veterinarian may order the quarantine of such animals as suspected of being diseased with tuberculosis; and any person, persons, firm, association, or corporation violating such quarantine shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$10 nor more than \$100 for each offense.

SEC. 2. *Appointment special deputy State veterinarian; duties; salary; other assistants.*—The State veterinarian, by and with the advice and consent of the governor, is hereby authorized to appoint a qualified person, to be known as special deputy State veterinarian, who shall act under the direction of the State veterinarian in carrying out the provisions of this act, who shall take an oath for the faithful and efficient performance of all duties required of him and who shall give satisfactory bond to the State of Wyoming in the sum of \$3,000. The special deputy State veterinarian shall receive a salary of \$1,500 per annum, together with all actual and necessary traveling expenses incurred while engaged in the performance of his duties. The State veterinarian is further authorized to employ such other assistants as may be deemed necessary to carry out the provisions of this act.

SEC. 3. *Certificate or permit; penalty.*—No dairy, association, person, or persons engaged in the business of selling milk or cream in cities or towns or to creameries in this State, may sell such milk or cream unless they possess a certificate or special permit from the State veterinarian, as hereinafter provided. Any dairy, association, person or persons violating this section shall be deemed guilty of a misdemeanor and shall upon conviction thereof be fined not less than \$10, nor more than \$100 for each offense.

SEC. 4. *Certificate; permit.*—On completion of the tuberculin test upon all dairy cattle as above, owned by any dairy, association, firm, corporation, person, or persons, the State veterinarian shall cause a certificate to be issued to such owner or owners, showing that all such cattle are free from tuberculosis; or, if all animals were not found free from tuberculosis; a certificate showing that proper disposition (as required by law) has been made of diseased animals, and that the remaining animals in the herd or herds are free from tuberculosis, so far as may be determined by the tuberculin test. Such certificate shall be the owner's authority for selling milk or cream as above. As the tuberculin testing of all dairy cattle in this State cannot begin immediately upon the date that this act becomes effective, the State veterinarian is hereby authorized to issue special permits to owners of such cattle as remain untested while the provisions of this act are being carried out, for the selling of milk or cream in cities or towns or to creameries in this State, without certificate as above provided. These special permits shall be effective only for the period from the date that this act becomes effective, until proper test and issuance of certificate as above provided.

SEC. 5. *Notice to owners.*—The State veterinarian, or his duly authorized agent shall ascertain the names and addresses of all owners of dairy cattle in this State and shall notify them, in writing, of the provisions of this act, obtaining acknowledgment

from owner, of receipt of such notice. No person, persons, firm, association, or corporation owning dairy cattle shall be considered as violating the provisions of this act, who has not been officially notified of its provisions. The owner notified shall make application to the State veterinarian for a special permit as above provided—to be used as his authority for selling milk or cream in cities or towns, or to creameries in this State, until such animals shall have been tuberculin tested and certificate issued as above provided.

SEC. 6. *Ear tags; record.*—Each animal tested with tuberculin under the provisions of this act, which passes the test satisfactorily to the State veterinarian, shall have an ear-tag inserted in its ear. The State veterinarian shall see that a correct record is kept of all cattle tested, the date and place of testing, the names and addresses of owners, and the number of the ear-tag inserted in the ear of each animal, and shall report this information in his regular biennial report.

SEC. 7. *Dairy cow defined.*—A “dairy cow” within the meaning of this act, shall be any cow the milk or milk products from which is sold for human consumption.

SEC. 8. *Fees.*—The first tuberculin test of all cattle of owners selling milk or cream in cities or towns or to creameries in this State, shall be made without charge to such owners; but for subsequent tests at owner's request or otherwise (except as herein-after provided) a fee of \$1 per head shall be charged and collected by the veterinarian making the test.

SEC. 9. *Tuberculosis eradication fund.*—The fees collected in compliance with the preceding section, shall be immediately transmitted to the State veterinarian who shall deposit same in the State treasury to the credit of the “tuberculosis eradication fund” hereby created; such fund shall be under the control of the State veterinarian and any salaries or expenses connected with bovine tuberculosis eradication work in this State may be paid by the State treasurer from such fund, upon presentation of State auditor's voucher properly approved.

SEC. 10. *Re-tests of cattle.*—Whenever the State veterinarian shall have reasons to suspect that the disease tuberculosis exists, or has been introduced by imported dairy cattle, among any herd or number of dairy cattle in this State, he shall order the retesting of same regardless of former tests made, if any.

SEC. 11. *Accredited herds.*—Any owner or owners of dairy cattle in this State, who shall cause same to be officially tested for tuberculosis at least once each year, for three years, shall be the owner or owners of an “accredited herd;” provided the premises and buildings where such animals are kept, pass a sanitary inspection required by regulations (hereby authorized) of the State veterinarian. Accredited herds shall be advertised as such, at least once each year, in the official county newspapers of the counties wherein such animals are assessed for taxation, and in other ways; and cattle from accredited herds shall be accepted without special tuberculin test for shipment to all States of the Union recognizing such herds.

SEC. 12. *Unsanitary premises; penalty.*—The State veterinarian or other person acting under his authority may order any unsanitary dairy barns or premises, cleaned and disinfected. Such cleaning and disinfecting shall be at the expense of the owner or owners. If, after a reasonable length of time, unsanitary barns or premises ordered cleaned and disinfected by the State veterinarian or other person acting under his authority, are not cleaned and disinfected as ordered, then such owner or owners shall be fined not less than \$10 nor more than \$100, for each offense.

SEC. 13. *Cities may require test.*—The mayor or board of commissioners of any city or town of this State shall have the power by ordinance duly enacted to require the owner or owners of dairies or dairy herds, or persons selling or offering for sale any milk or its products within such city or town, to compel such owners of dairies or dairy herds, to have all animals in such herds tested for tuberculosis, once each year; and to prohibit the sale of milk or its products in such city or town unless all cows

from which such milk is obtained have passed the test for tuberculosis within the past year.

SEC. 14. *Hindering test; penalty.*—Any person who intentionally interferes with or hinders the work of the State veterinarian or his employees under this act, or who attempts to defeat the object of the tuberculin test by a previous injection of tuberculin, commonly known as "plugging," or in any other way attempts to prevent an accurate and truthful determination of the condition of the cattle tested, shall be fined not less than \$10 nor more than \$100 for each offense, or by imprisonment in the county jail of not more than 30 days, or both, in the discretion of the court.

SEC. 15. *Appropriation.*—For the purpose of assisting in carrying out the provisions of this act there is hereby appropriated out of any funds in the State treasury not otherwise appropriated, the sum of \$6,000.

Advertisements—Untrue, Deceptive, or Misleading, Prohibited. (Ch. 63, Act Feb. 17, 1917.)

SECTION 1. *Misdemeanor; penalty.*—Any person, firm, corporation or association who, with intent to sell, or in any way dispose of any merchandise, securities, or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution or with intent to increase the sale or consumption thereof, or to induce the public or any person in any manner to enter into any obligation relating thereto or to acquire title to or an interest therein makes, publishes disseminates, circulates or places before the public or any person, or causes the same to be done, either directly or indirectly, whether by newspaper publication or otherwise, any label, notice, handbill, poster, bill, circular, pamphlet or letter, any advertisement of any kind or character regarding merchandise, securities, amusements, entertainments, exhibitions, services or any other thing or commodity offered to the public or to any person; which advertisement contains any assertion or statement, which is, in fact, untrue, deceptive or misleading, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine in any sum not exceeding \$100, in the discretion of the court, for every such offense and each day such publication or communication shall be published or disseminated, shall constitute a violation of the provisions of this act and shall be deemed a separate and distinct offense: *Provided, also,* That the provisions of this act shall not apply to the publisher of any newspaper or other publication who publishes or causes to be published, disseminated, or circulated any written or printed statement prohibited by the provisions of this act, without knowledge that it is false.

SEC. 2. *Advertisement defined.*—Within the meaning of this act, an advertisement shall be defined as any notice, announcement, statement, representation, exhibition, demonstration or proclamation, whether by printing or writing.

SEC. 3. *Duty of county attorney.*—It shall be the duty of the county attorney of each county, on complaint being made to vigorously prosecute any and all offenders against the provisions of this act.

INDEX.

A.

Actinomycosis. (*See* Communicable diseases.)

Addicts, drug. (*See* Drug addicts.)

Advertisements—

Sexual ailments—New York 322

Untrue, deceptive or misleading—

Indiana 165

Iowa 169

Michigan 233

Oregon 440

Wyoming 552

Venereal diseases—New York 322

Alaska 21

Alcohol, wood. (*See* Wood alcohol.)

Animals—

(*See also* Cattle; Dogs; Dairy cattle; Dairy herds; Domestic animals.)

Destruction—Utah 45

Diseases of—

Control—Utah 487

Quarantine—Utah 487

Disposal of dead bodies—Wisconsin 548

Importation—Inspection and quarantine against communicable diseases—Porto Rico 461

Anthrax—

(*See also* Communicable diseases.)

Control, suppression, and eradication—Hawaii 104

Apartments used as workshops—Inspection, license, and sanitary regulation—New Jersey 315

Appropriations—Insular department of health—Porto Rico 458

Arizona 22

Arkansas 23

Ashes—

Collection and disposal—In villages—New York 350

Receptacles—

Dwellings—Minnesota 241

Tenement, lodging, and boarding houses—Connecticut 90

Assistant commissioners of health—

Insular—Appointment and duties—Porto Rico 458

Territorial—Salaries—Alaska 21

B.

Bacteria—

(*See also* Pathogenic germs.)

Living—Inoculation with—New Jersey 280

Bakeries—

(*See also* Food establishments.)

Alterations—Wisconsin 533

Certificates of inspection—Connecticut 86

Construction—Connecticut 86

Licensing—Wisconsin 533

Sanitary regulation—Wisconsin 533

Barber shops—

Hair brushes—Louisiana 192

Regulation—Wisconsin 549

Sanitary regulation—

Nevada 273

Vermont 501

Bathing places—

(*See also* Swimming pools.)

Construction and operation—Permits—California 70

	Page.
Bathing places—Continued.	
Supervision—California.....	70
When deemed nuisances—California.....	70
Bedding—Hotels—	
California.....	69
Maine.....	200
Missouri.....	256
North Carolina.....	366
Oregon.....	436
Wisconsin.....	539
Beriberi, infantile. (<i>See</i> Tiquitiqui extract.)	
Berry yards—Sanitary regulation—Oregon.....	440
Biologic products. (<i>See</i> Serums.)	
Births—	
(<i>See also</i> Vital statistics.)	
Contents of certificates—Oregon.....	433
Local registrars—	
Appointment and fees—Arkansas.....	25
Fees—South Carolina.....	471
New York.....	340
Oregon.....	433
Name of child to be obtained—New Hampshire.....	277
Publication—New Hampshire.....	277
Records—	
Certified copies—	
California.....	61
Minnesota.....	238
Transmission to town clerks—Maine.....	200
Preservation—Louisiana.....	191
Registration—	
California.....	61
Connecticut.....	87
Duties of local officials—Nebraska.....	265
Illinois.....	142
Iowa.....	166
Minnesota.....	238
Oklahoma.....	409
Texas.....	483
Registration districts—	
Arkansas.....	25
New York.....	340
Registration notice for parents—New Hampshire.....	277
Reports—Fees—New York.....	341
Board of health and medical examiners—	
(<i>See also</i> Boards of health.)	
State—	
Appointment and powers—South Dakota.....	472
Regulations—South Dakota.....	472
Boarding houses—	
Children's—License and inspection—New York.....	351
Cleanliness—Connecticut.....	90
Receiving tuberculous persons—	
Furnishing and posting, of sanitary laws and regulations—New York.....	323
Inspection—New York.....	323
Receptacles for garbage, refuse, and ashes—Connecticut.....	90
Boards of health—	
(<i>See also</i> Board of health and medical examiners; Department of public health; Departments of health; Health authorities; Public health council.)	
County—	
Duties—Idaho.....	109
Members—Idaho.....	109
Health districts—Appointment, powers, and duties—Michigan.....	229
Local—	
Appointment—Delaware.....	93
Employees—Appointment and duties—New Jersey.....	295
Officers—Delaware.....	93
Powers—New Jersey.....	294
Regulations by—Vermont.....	496

Boards of health—Continued.

	Page.
Public health districts—Members, powers and duties—Illinois.....	128
State—	
Annual meeting—Delaware.....	93
Appointment—Vermont.....	495
Appointment and salaries of certain new employees—Oklahoma.....	404
Bacteriologist and assistant bacteriologists—Appointment, duties, and salaries—Michigan.....	225
Bureau of sanitation—	
Employees—Arkansas.....	23
Establishment—Arkansas.....	23
Child welfare division—Creation and duties—Montana.....	259
Employees—	
Appointment and compensation—California.....	40
Vermont.....	495
Expenses—Vermont.....	495
Investigation of administration of—Delaware.....	94
Meetings—	
Delaware.....	92
Rhode Island.....	469
Members—	
Compensation—Delaware.....	92
Compensation and traveling expenses—Rhode Island.....	469
Organization—Delaware.....	92
Powers—Minnesota.....	236
Powers and duties—	
Delaware.....	93
Wisconsin.....	529
Regulations—Minnesota.....	236
Regulations on communicable diseases—North Carolina.....	355
Repeal of all prior regulations by—Washington.....	517
Reports to legislature—Delaware.....	93
Seals—Delaware.....	93
Secretary—	
Appointment and duties—Vermont.....	495
Delaware.....	92
Body lice—	
(See also Typhus fever.)	
Infested persons or premises—	
Placarding—Illinois.....	116
Quarantine—Illinois.....	116
Notification of persons or premises infested with—Illinois.....	116
Buildings—	
(See also Dwellings.)	
Public—	
Sanitary control—Inspection—Kansas.....	188
Toilets—Location and construction—Wisconsin.....	540
Sanitary regulation—Powers of local authorities—Texas.....	482
Unfit for human habitation—	
Abatement as nuisances—Indiana.....	162
Vacation—Indiana.....	162
Burial—	
(See also Communicable diseases: Dead bodies.)	
Permits—	
California.....	61
Fees—New York.....	341
Hawaii.....	106
Wisconsin.....	538
Vaults—	
Construction and maintenance—Kansas.....	188
Construction and use—Pennsylvania.....	452
Butcher shops—Certificate of health from meat handlers—North Dakota.....	377
Butter—	
(See also Milk and milk products.)	
Inspection—Nevada.....	267
Regulations regarding—Nevada.....	267
Sale—Nevada.....	267

	C.	Page.
Cafes—Licensing, inspection, and regulation—South Carolina		471
California		27
Camps—		
Convict—		
Sanitary regulation—North Carolina		372
Sanitary supervision—North Carolina		369
Industrial—Sanitary regulation—		
Kansas		189
Washington		521
Sanitary regulation—Oregon		440
Tuberculosis—State—Care and maintenance of patients—Wisconsin		531
Candies—Adulterated or misbranded—Publication of list of—Montana		261
Canneries—		
Common drinking cups—California		74
Dressing rooms—California		74
Drinking water—California		74
Floors—California		74
Sanitary napkins—California		74
Time for meals—California		74
Toilets—California		74
Cantonment health work—Appropriations—Massachusetts		223
Cantonment health zones—		
Establishment—New York		354
Sale of food and drink—New York		354
Carriers, common. (<i>See</i> Common carriers.)		
Carriers of disease. (<i>See</i> Communicable diseases.)		
Cattle—		
(<i>See also</i> Animals; Dairy cattle; Dairy herds; Domestic animals.)		
Importation—		
Inspection and quarantine against communicable diseases—Porto Rico		461
When free from disease—New Jersey		302
Census, disease—In schools by teachers—North Carolina		361
Cerebrospinal meningitis—		
(<i>See also</i> Communicable diseases; Serums.)		
Notification of cases—North Carolina		358
Quarantine—California		34
Cesspools—		
Construction and maintenance—New Jersey		314
Dwellings—Minnesota		241
Location—Kansas		187
When declared nuisances—Abatement—Maryland		203
Chancroid. (<i>See</i> Communicable diseases; Venereal diseases.)		
Charitable work—Appropriation—Philippine Islands		455
Cheese factories—		
Correction of insanitary conditions—Vermont		501
Inspection—Vermont		501
Standard of milk as paying basis—Vermont		501
Chicken pox. (<i>See</i> Communicable diseases.)		
Child welfare division—Creation and duties—Montana		259
Children—		
Employment—		
Delaware		97
Illinois		144
Utah		491
Physically defective or deformed at birth—		
Care and treatment—Wisconsin		537
Notification of defects—Wisconsin		537
Tabulation and classification—Wisconsin		537
With fever—Isolation when poliomyelitis is present—Minnesota		236
Children's boarding houses—License and inspection—New York		351
Children's homes—		
Definition of terms—Maine		202
License—Maine		200
Regulation—Minnesota		247
Cholera. (<i>See</i> Communicable diseases.)		

	Page.
Cities—Supervision of sanitation in—California	32
Clinics. (<i>See</i> Dispensaries.)	
Code, sanitary—	
Connecticut	82
Definition of terms—New Jersey	280
Ohio	381
Cold-storage plants—	
Insanitary conditions—Michigan	231
Inspection—Michigan	231
Unwholesome food—Michigan	231
Colorado	77
Comfort stations—Construction and maintenance—Indiana	164
Comforts—Manufacture, labeling, and sale—	
Iowa	168
Michigan	232
Commissioners of health—	
(<i>See also</i> Assistant commissioners of health; Health authorities; Health officers; Public health council.)	
District—	
Appointment—Georgia	103
Salaries—Georgia	103
Insular—	
Porto Rico	457
Salary—Porto Rico	458
State—	
Connecticut	82
Maine	193
Ohio	381
Territorial—Traveling expenses—Alaska	21
Common carriers—	
(<i>See also</i> Railroad coaches.)	
Cars and depots—Sanitary regulation—Kansas	183
Communicable diseases—	
Kansas	183
Oregon	410
Washington	505
Sanitary regulation—Washington	516
Common drinking cups—	
(<i>See also</i> Drinking cups.)	
Canneries—California	74
Hotels—	
Oregon	436
Wisconsin	539
Places of employment—Wisconsin	540
Public places—	
Arizona	22
California	60
Idaho	110
Oklahoma	409
Washington	518
Restaurants—Wisconsin	539
Schools—Idaho	112
Common hair brushes—Public places—Louisiana	191
Common towels—	
(<i>See also</i> Individual towels.)	
Hotels—	
North Carolina	366
Oregon	436
Wisconsin	539
Places of employment—Wisconsin	540
Public places—	
Arizona	22
California	61
Idaho	110
Oklahoma	409
Washington	518
Schools—Idaho	112

Communicable diseases—

(See also Names of specific diseases; Animals; Bacteria; Cattle; Dairy cattle; Dispensaries; Hospitals; Notifiable diseases; Pathogenic germs; Serums.)

	Page.
Attendance at children's gatherings—California.....	27
Attendance at gatherings—New Jersey.....	280
Burial—	
Idaho.....	107
Washington.....	505
Care of infected persons—Payment of expenses—Wisconsin.....	526
Carriers—	
Kansas.....	171
Michigan—Isolation or quarantine.....	224
New Jersey.....	280
Census in schools by teachers—North Carolina.....	361
Cleaning premises—	
New Jersey.....	280
Wisconsin.....	526
Common carriers—	
Kansas.....	183
Oregon.....	410
Washington.....	505
Contact with infected persons—New Jersey.....	280
Contacts—California.....	27
Contaminated articles—Removal—New York.....	321
Control—	
Maine—In unorganized townships.....	193
Minnesota—Employment of medical and other help.....	236
Control measures—	
Minimum—Oregon.....	410
Washington.....	505
Data to be furnished county papers—North Carolina.....	361
Deaths—Duties of local registrars and health officers—New York.....	320
Diagnosis—New Jersey.....	280
Disinfection—	
California.....	27
Idaho.....	107
Kansas.....	171
New Jersey.....	280
Oregon.....	410
Rhode Island.....	468
Washington.....	505
Wisconsin.....	526
Duties of county quarantine officers—North Carolina.....	360
Employment of infected persons in schools—New Hampshire.....	274
Epidemics—Emergency fund—	
Nevada.....	267
Porto Rico.....	457
Funerals—Kansas.....	171
Hospitalization—	
Michigan.....	224
New Jersey.....	280
In hospitals, dispensaries, and institutions—	
Prevention of spread—New York.....	321
Tracing original source of infection—New York.....	321
Incubation periods—	
California.....	27
New Jersey.....	280
Infected articles—Destruction—New Jersey.....	280
Instructions to household—California.....	27
Investigation—	
California.....	27
Washington.....	505
Wisconsin.....	524
Isolation—	
California.....	27
Idaho.....	107
New Jersey.....	280
Oregon.....	410

Communicable diseases—Continued.

Library books—	Page.
Disinfection—Wisconsin	525
Idaho	107
Meaning of "communicable disease"—New York	320
Notification of cases—	
California	27, 32
Florida	99
Georgia	103
Idaho	107
On dairy farms	110
Kansas	171
Maine—In unorganized townships	193
Maryland	203
Massachusetts	206
Certain diseases on premises where milk is handled for sale	206
Certain diseases when caused by infected milk	206
Minnesota	235
New Jersey	280
New York	320
North Carolina	355
Oregon	410
Porto Rico	457
Washington	505
Wisconsin—Penalty for failure to report	524
Notification of school and library authorities—Wisconsin	525
Penalty for certain offenses—Kansas	171
Placarding—	
Idaho	107
Kansas	171
New Jersey	280
Oregon	410
Washington	505
Wisconsin	524
Powers of State board of health—Kansas	171
Precautions by physicians and attendants—New Jersey	280
Prevention—California	32
Prevention of spread through merchandise—Oregon	423
Public gatherings—	
Kansas	171
Oregon	410
Washington	505
Quarantine—	
Idaho	107
Kansas	171
New Jersey	280
Oregon	410
Rhode Island	468
Washington	505
Wisconsin	524
Regulations of State board of health—North Carolina	355
Regulations regarding, to govern venereal diseases—Washington	516
Removal of cases to county hospitals—Pennsylvania	442
Schools—	
California	27
Idaho	107
Kansas	171
New Jersey	280
Oregon	410
Washington	505
Wisconsin	525
Suspected unreported cases—Investigation—North Carolina	361
Travel of infected persons—Kansas	171
Use of public conveyances by infected persons—Oregon	423
Violations of laws relating to—Penalty—Wisconsin	524
Compressed air—Employment in—Regulation—Pennsylvania	443

	Page.
Condenseries—	
Correction of insanitary conditions—Vermont.....	501
Inspection—Vermont.....	501
Confectioneries—	
Alterations—Wisconsin.....	533
Licensing—Wisconsin.....	533
Sanitary regulation—Wisconsin.....	533
Connecticut.....	82
Contagious diseases. (See Communicable diseases; Names of specific diseases; Venereal diseases.)	
Conveyances, public—Use by infected persons—Oregon.....	423
Convict camps—	
(See also Jails; Prisoners.)	
Sanitary regulation—North Carolina.....	372
Sanitary supervision—North Carolina.....	369
Corporations—Maintenance of nuisances outside State—New York.....	352
County quarantine officers. (See Quarantine officers.)	
Creameries—	
Correction of insanitary conditions—Vermont.....	501
Inspection—Vermont.....	501
License—New Jersey.....	300
Sanitary regulation—New Jersey.....	300
Standard of milk as paying basis—Vermont.....	501
Cremations—Registration—Michigan.....	232
D.	
Dairies—	
(See also Milk.)	
Inspection—Vermont.....	501
Dairy barns and premises—Cleaning and disinfection—Wyoming.....	550
Dairy cattle—	
(See also Cattle; Dairy herds; Milk; Tuberculin.)	
Diseased—	
Branding, appraisal, and slaughter—Hawaii.....	104
Care—New York.....	332
Reimbursement of owners—Hawaii.....	104
Tuberculin test—	
Hawaii.....	104
New York.....	332
Wyoming.....	550
Dairy herds—	
(See also Cattle; Dairy cattle; Milk; Tuberculin.)	
Tuberculin testing—California.....	46
Dairy inspections—Fees prohibited—Massachusetts.....	211
Dairy inspectors—	
Appointment, powers, and duties—Maine.....	197
California.....	45
Interference with—Maine.....	197
Dead bodies—	
Disinterment—California.....	73
Removal permits—	
California.....	61
Fees—New York.....	341
Hawaii.....	106
Transit permits—Fees—New York.....	341
Transportation—	
Florida.....	101
Oregon.....	434
Deaths—	
(See also Vital statistics.)	
From communicable diseases—Duties of local registrars and health officers—New York.....	320
Local registrars—	
Appointment and fees—Arkansas.....	25
Fees—South Carolina.....	471
New York.....	340
Oregon.....	433
Occurring without medical attendance—Oregon.....	433
Penalty for failure of physician to register within 36 hours—Vermont.....	503
Publication—New Hampshire.....	277

Deaths—Continued.

Records—	
Certified copies—	Page.
California.....	61
Minnesota.....	238
Transmission to town clerks—Maine.....	200
Preservation—Louisiana.....	191
Registration—	
California.....	61
Duties of local officials—Nebraska.....	265
Hawaii.....	106
Illinois.....	142
Iowa.....	166
Minnesota.....	238
Oklahoma.....	409
Texas.....	483
Registration districts—	
Arkansas.....	25
New York.....	340
Reports—Fees—New York.....	341
Delaware.....	92
Dengue. (See Communicable diseases.)	
Department of public health—	
(See also Board of health and medical examiners; Boards of health; Departments of health; Health authorities; Public health council.)	
State—Organization, powers, and duties—Illinois.....	123
Department of public sanitation—In certain cities—	
Boards of sanitary commissioners—Indiana.....	147
Indiana.....	147
Sanitary districts—Indiana.....	147
Sewage disposal—Indiana.....	147
Departments of health—	
(See also Board of health and medical examiners; Boards of health; Department of public health; Health authorities; Public health council.)	
Insular—	
Appropriations—Porto Rico.....	458
Establishment—Porto Rico.....	457
State—	
Advisory board—Nebraska.....	263
Bureau or division for enforcing drug act—Pennsylvania.....	446
Creation—Maine.....	195
Divisions—Ohio.....	381
Employees—	
Nebraska.....	263
Ohio.....	381
Establishment—	
Nebraska.....	263
Ohio.....	381
Organization—Connecticut.....	82
Powers and duties—Massachusetts.....	209
Diarrhea, white—Fowls—Laboratory tests to detect—Vermont.....	494
Diphtheria—	
(See also Communicable diseases.)	
Cultures—New Jersey.....	580
Dipsomaniacs—Commitment—Vermont.....	502
Disease census—In schools by teachers—North Carolina.....	361
Diseases—Proprietary medicines and mechanical devices for cure of certain diseases—Sale or advertising—North Carolina.....	368
Disinfectants—Labeling—Connecticut.....	90
Misbranding—Connecticut.....	90
Disinfection—	
(See also Communicable diseases; Hotels; Smallpox; Tuberculosis; Typhoid fever; Typhus fever.)	
Licenses—Porto Rico.....	466
Regulation—Porto Rico.....	466

Dispensaries—	
Communicable diseases in—	Page.
Prevention of spread—New York.....	321
Tracing original source of infection—New York.....	321
First aid in factories—Porto Rico.....	464
Tuberculosis—	
County—Establishment and maintenance—Ohio.....	384
District—Establishment and maintenance—Ohio.....	384
Venereal diseases—Standards—California.....	37
District of Columbia.....	98
Divorces—Registration—Iowa.....	166
Dogs—	
(See also Animals; Domestic animals; Rabies.)	
Confinement—Washington.....	517
Muzzling—	
District of Columbia.....	98
Utah.....	487
Washington.....	517
Domestic animals—	
(See also Animals; Cattle; Dairy cattle; Dairy herds.)	
Disposal of dead bodies—Idaho.....	113
Keeping—Dwellings—Minnesota.....	241
Quarantine—Washington.....	517
Drainage disposal—Maine.....	198
Drainage investigation—Jointly by State health department and State board of agriculture—Massachusetts.....	222
Drains—Powers of municipalities—New Jersey.....	303
Dressing rooms—	
Canneries—California.....	74
Female employees—	
Delaware.....	95
Rhode Island.....	470
Foundries—Tennessee.....	479
Drink—Sale—In cantonment health zones—New York.....	354
Drinking cups—	
(See also Common drinking cups.)	
Hotels—Maine.....	200
Drinking fountains—	
Hotels—Wisconsin.....	539
Restaurants—Wisconsin.....	539
Drinking receptacles—Sterilization—California.....	61
Drinking water—	
(See also Drinking water receptacles; Water supplies.)	
Bottling and sale—Connecticut.....	87
Canneries—California.....	74
Female employees—Delaware.....	95
Hotels—Oregon.....	436
Places of employment—Wisconsin.....	540
Pollution—Prevention—Washington.....	513
Schools—Idaho.....	111, 112
Drinking water receptacles—	
(See also Drinking water; Water supplies.)	
California.....	60
Drug addicts—Commitment—	
New York.....	333
Ohio.....	400
Vermont.....	502
Drugs—	
(See also Foods and drugs.)	
Adulteration—Pennsylvania.....	449
Habit-forming—	
(See also Drug addicts.)	
Possession, sale, and dispensing—Pennsylvania.....	446
Sale and dispensing—	
Colorado.....	77
Massachusetts.....	217
Michigan.....	231

Drugs—Continued.	
Habit-forming—Continued.	
Sale and dispensing—Continued.	Page.
Nevada.....	270
New Hampshire.....	276
New York.....	333
North Dakota.....	377
Ohio.....	400
Utah.....	491
Use or cultivation of cannabis sativa—Colorado.....	77
Misbranding—Pennsylvania.....	449
Dust—	
Elimination in foundries—Missouri.....	258
Prevention in mines—Idaho.....	112
Dwellings—	
(See also Building)	
Sanitary regulation—Housing act—Minnesota.....	241
Dysentery. (See Communicable diseases.)	
	E.
Egg-breaking establishments—	
Conducting without a license—Penalty—Massachusetts.....	212
Illinois.....	139
Egg-canning establishments—Conducting without a license—Penalty—Massachusetts.....	212
Eggs—	
Marking—Connecticut.....	86
Sale—	
California.....	52
Illinois.....	139
Embalmers—	
Examination and licensing—New Hampshire.....	278
Regulation—New Hampshire.....	278
Embalming—	
Licenses—Porto Rico.....	466
Regulation—Porto Rico.....	466
Employees—Hotels—Maine.....	200
Employment—	
(See also Children; Factories; Females; Foundries; Manufacturing establishments; Mercantile establishments.)	
Places of—	
Common drinking cups—Wisconsin.....	540
Common towels—Wisconsin.....	540
Drinking water—Wisconsin.....	540
Toilets—Location and construction—Wisconsin.....	540
Engineers. (See Sanitary engineers.)	
Excrement—	
(See also Cesspools; Plumbing; Privies; Sewage; Water-closets.)	
Human—Disposal—New Jersey.....	314
Exhaust fans—Places where females are employed—Delaware.....	95
	F.
Factories—	
(See also Cheese factories; Employment; Foundries; Manufacturing establishments; Tobacco factories.)	
Code of lighting—New Jersey.....	319
Dispensaries—Porto Rico.....	464
New—Reports of existence of—California.....	74
Sanitary regulation—New Jersey.....	317
Toilets—New York.....	353
Fans, exhaust—Places where females are employed—Delaware.....	95
Farcy. (See Communicable diseases.)	
Favus. (See Communicable diseases.)	
Females—Places where employed—Sanitary requirements—Delaware.....	95
Floors—Canneries—California.....	74
Florida.....	99
Fly-breeding places—Prohibited—New Jersey.....	314
Fly-establishments—	
(See also Foodstuffs.)	
Employees—Vermont.....	499

	Page.
Food establishments—Continued.	
Insanitary conditions—Michigan.....	231
Inspection—Michigan.....	231
Sanitary regulation—Vermont.....	499
Unwholesome food—Michigan.....	231
Foods and drugs—	
* (See also Drugs; Food establishments; Foodstuffs; Milk.)	
Adulterated or misbranded—	
Manufacture or sale—Rhode Island.....	469
Publication of list of—Montana.....	261
Adulteration and misbranding—	
Massachusetts.....	212
Porto Rico.....	462
Regulations against—Washington.....	517
Analyses—	
California.....	54
Porto Rico.....	462
Condemnation—California.....	54
Quality, purity, and strength—Standards—Washington.....	517
Standard of purity—California.....	54
State laboratory—	
Establishment—California.....	54
Officers—Appointment and duties—California.....	54
Unfit for use—Destruction—Porto Rico.....	462
Foodstuffs—	
(See also Food establishments; Foods and drugs; Milk; Vinegar.)	
Adulteration—	
Hawaii.....	105
Illinois.....	139
Nevada.....	267
Contamination—Penalty—Maryland.....	203
Handling and sale when communicable diseases exist—	
New Jersey.....	280
Washington.....	505
Misbranding—	
Hawaii.....	105
Illinois.....	139
Vermont.....	499
Places where manufactured, prepared, or sold—Cleanliness—Ohio.....	387
Protection—	
Hotels—	
Maine.....	200
North Carolina.....	366
Oregon.....	436
Restaurants—Oregon.....	436
Regulations regarding—Michigan.....	231
Sale—	
In cantonment health zones—New York.....	354
Vermont.....	499
Sale from premises where communicable diseases exist—Idaho.....	110
Sale from premises where tuberculosis exists—Illinois.....	114
Sale from premises where typhoid fever exists—North Carolina.....	362
Sale, handling, and destruction in cases of communicable diseases—Oregon.....	410
Standards of purity—Vermont.....	499
Unwholesome—Michigan.....	231
Foundries—	
(See also Employment.)	
Fumes and dust—Elimination—Missouri.....	258
Inspection—Missouri.....	258
Shower baths and dressing rooms—Tennessee.....	479
Toilet-room requirements—Missouri.....	258
Fowls—	
Diseased—Sale—Porto Rico.....	451
White diarrhea—Laboratory tests to detect—Vermont.....	494
Fraternal organizations—Care of patients by, at State tuberculosis hospital—Texas.....	481
Fumes—Injurious—Elimination in foundries—Missouri.....	258
Fumigation. (See Disinfection.)	
Funerals. (See Burial; Communicable diseases; Dead bodies.)	

G.

Garbage—

Collection and disposal—

In towns—New York	Page.
In villages—New York	350
Disposal—	350

Hotels—

Maine	200
In municipalities—New Jersey	313
Powers of municipalities—New Jersey	303

Hotels—

North Carolina	366
Oregon	436

Receptacles—

Dwellings—Minnesota	241
Tenement, lodging, and boarding houses—Connecticut	90
Restaurants—Oregon	436

Georgia

103

German measles. (*See* Communicable diseases.)Germs. (*See* Bacteria; Pathogenic germs.)Glanders. (*See* Communicable diseases.)Gonococcus infection. (*See* Communicable diseases: Venereal diseases.)

Grass—Depositing on highways or in inland waters—Michigan	233
---	-----

H.

Habit-forming drugs. (*See* Drugs.)

Hair brushes—

(*See also* Common hair brushes.)

Barber shops—Louisiana	192
------------------------------	-----

Hawaii

104

Health authorities—

(*See also* Assistant commissioners of health; Board of health and medical examiners; Boards of health; Commissioners of health; Dairy inspectors; Department of public health; Departments of health; Health officers; Public health council; Quarantine officers; Sanitary engineers; Sanitation service; Vital statistics.)

Local—Duties regarding ophthalmia neonatorum—North Carolina	358
State—Duties regarding ophthalmia neonatorum—North Carolina	358

Health districts—

(*See also* Public health districts; Sanitary districts.)

Boards of health—Appointment, powers, and duties—Michigan	229
Consolidated—Expenses—New York	328
Creation—Michigan	229
Health officers—Appointment, powers, and duties—Michigan	229
Local—Organization, government, and dissolution—California	40
Regulations—Michigan	229
Taxes—Michigan	229

Health insurance—

(*See also* Old-age insurance; Social insurance.)

Investigation—

Connecticut	91
Illinois	143
Ohio	402
Pennsylvania	451

Health matters—Miscellaneous—Powers of municipalities—New Jersey	303
--	-----

Health officers—

(*See also* Assistant commissioners of health; Commissioners of health; Health authorities; Quarantine officers.)

County—

Appointment—Idaho	109
Duties—Idaho	109

District—

Maine	195
Time for making annual reports—Massachusetts	210

Full-time—Joint employment by municipalities—Wisconsin	529
--	-----

Health districts—Appointment, powers, and duties—Michigan	229
---	-----

In incorporated cities and towns—Appointment—California	40
---	----

Local—

Appointed inspectors—California	34
Appointment—California	32

Health officers—Continued.

Local—Continued.	Page.
Duties—California.....	32
Powers and duties—Vermont.....	496
Local district—Appointment, powers, and duties—California.....	40
Public health districts—Powers and duties—Illinois.....	128
State—Nebraska.....	263
Heating—Places where females are employed—Delaware.....	95
Hemorrhagic septicemia—Control, suppression, and eradication—Hawaii.....	104
Herbs—Investigation of medicinal properties and value of—Hawaii.....	106
Hookworm disease. (See Communicable diseases.)	
Hop yards—Sanitary regulation—Oregon.....	440
Hospitalization. (See Communicable diseases.)	
Hospitals—	
Communicable diseases—	
Appropriation for those in certain counties—New Jersey.....	291
County—	
Establishment and maintenance—Pennsylvania.....	442
Removal of cases to—Pennsylvania.....	442
Establishment and maintenance in certain counties—Wisconsin.....	525
Establishment in cities—New Jersey.....	290
For prisoners—Establishment—Philippine Islands.....	454
Maintenance in cities and towns—California.....	38
Communicable diseases in—	
Prevention of spread—New York.....	321
Tracing original source of infection—New York.....	321
County—Establishment, maintenance, and regulation—Utah.....	488
Maternity—	
Definition of terms—Maine.....	202
License—Maine.....	202
Regulation—Minnesota.....	247
Mental and other diseases—Licensing and regulation—New Hampshire.....	275
Sanitary regulation—Oregon.....	430
Tuberculosis—	
Cities and villages—	
Appointment of employees—Illinois.....	137
Board of directors—Illinois.....	137
Tax levy—Illinois.....	138
County—	
Admission and maintenance of patients—	
Tennessee.....	474
Wisconsin.....	530
Admission and maintenance of patients from other counties—New York.....	324
Admission, care, and treatment of patients—New Jersey.....	292
Appointment and qualifications of superintendents—New York.....	328
Approval of plans—North Carolina.....	365
Attendance by superintendent of course in tuberculosis—New York.....	324
Commitment to, by court order—New Jersey.....	292
Establishment—Indiana.....	147
Establishment and maintenance—	
New York.....	324
Ohio.....	384
Vermont.....	497
Establishment, maintenance, and control—Oregon.....	424
Establishment, maintenance, and regulation—	
North Carolina.....	364
Tennessee.....	474
Powers and duties of county and hospital boards—New York.....	324
Powers and duties of superintendent—New Jersey.....	292
Regulation—Wisconsin.....	532
State aid—Michigan.....	225
Tax levy—Michigan.....	225
District—	
Admission and maintenance of patients—Tennessee.....	474
Establishment and maintenance—Ohio.....	384
Establishment, maintenance, and control—Oregon.....	424
Establishment, maintenance, and regulation—Tennessee.....	474

Hospitals—Continued.

Tuberculosis—Continued.

District—Continued.

	Page.
Raising money for establishment and maintenance—Wisconsin	532
Regulation—Wisconsin	532
For colored persons—Delaware	94
For prisoners—Establishment—Philippine Islands	454
Joint county—	
Employees—Michigan	226
Establishment and maintenance—Michigan	226
State aid—Michigan	226
Private—	
Inspection—Connecticut	82
State aid—Connecticut	82
State—	
Admission and maintenance of patients—	
Kansas	183
Maine	195
New York	323
Wisconsin	530
Admission of patients—Oklahoma	404
Attendance of courses at—New York	324
Care of patients by fraternal organizations—Texas	481
Duty of superintendent—New York	323
Establishment and maintenance—Oklahoma	404
Establishment and regulation—Vermont	496
For negroes—Establishment and regulation—West Virginia	523
Town—Approval of plans—North Carolina	365
Tuberculosis wards in—Establishment and regulation by State—Vermont	496
Venereal diseases—Standards—California	37

Hotels—

Bedding—

California	69
Maine	200
Missouri	256
North Carolina	366
Oregon	436
Wisconsin	539

Cleanliness—

Maine	200
Missouri	256
North Carolina	366
Oregon	436
Wisconsin	539

Common drinking cups—

Oregon	436
Wisconsin	539

Common towels—

North Carolina	366
Oregon	436
Wisconsin	539

Disinfection—North Carolina

North Carolina	366
----------------------	-----

Drinking fountains—Wisconsin	539
------------------------------------	-----

Drinking water—Oregon	436
-----------------------------	-----

Employees—

Maine	200
Oregon	436

Foodstuffs—Protection—

Maine	200
North Carolina	366
Oregon	436

Garbage—

Maine	200
North Carolina	366
Oregon	436

Individual drinking cups—Maine	200
--------------------------------------	-----

Hotels—Continued.

	Page.
Individual towels—	
California.....	69
Maine.....	200
Missouri.....	256
Inspection—	
Missouri.....	256
North Carolina.....	366
Inspection certificates—Maine.....	200
License—Arkansas.....	23
Licensing, inspection, and regulation—South Carolina.....	471
Lighting—Missouri.....	256
Mosquito breeding—Prevention—North Carolina.....	366
Privies—	
Maine.....	200
Missouri.....	256
North Carolina.....	366
Refuse disposal—Maine.....	200
Reporting change of management—Maine.....	200
Sanitary regulation—California.....	69
Screening—	
North Carolina.....	366
Oregon.....	436
Sleeping rooms—North Carolina.....	366
Toilets—	
Oregon.....	436
Wisconsin.....	539
Ventilation—	
California.....	69
Maine.....	200
Missouri.....	256
Water-closets—	
Missouri.....	256
North Carolina.....	366
Water supply—	
Maine.....	200
North Carolina.....	366
Housing act—Minnesota.....	241
Hypnotic drugs. (<i>See</i> Drugs—Habit-forming.)	
Hypodermic instruments—Sale and possession—	
Massachusetts.....	217
New York.....	333
I.	
Ice cream—	
Receptacles—	
Cleanliness—Missouri.....	255
Marking and labeling—Missouri.....	255
Regulations regarding—Nevada.....	267
Inspection—Nevada.....	267
Purity and quality—Standards—Vermont.....	501
Sale—	
Nevada.....	267
Vermont.....	501
Ice supplies—Pollution—Prevention—Montana.....	261
Idaho.....	107
Illinois.....	114
Incubation periods. (<i>See</i> Communicable diseases.)	
Individual towels—	
(<i>See also</i> Common towels.)	
Hotels—	
California.....	69
Maine.....	200
Missouri.....	256
Industrial diseases—Notification of cases—Act requiring, repealed—California.....	38
Infantile beriberi. (<i>See</i> Tiquitqui extract.)	
Infantile paralysis. (<i>See</i> Communicable diseases; Poliomyelitis.)	
Infectious diseases. (<i>See</i> Communicable diseases; Venereal diseases.)	

	Page.
Insects—Extermination—California.....	38
Institutions—	
Communicable diseases in—	
Prevention of spread—New York.....	321
Tracing original source of infection—New York.....	321
Public—In counties—Examination into sanitary condition—Idaho.....	113
Instructions to household. (See Communicable diseases; Smallpox; Tuberculosis.)	
Instructions to patient. (See Venereal diseases.)	
Insurance. (See Health insurance; Old age insurance; Social insurance.)	
Iowa.....	166
Isolation. (See Communicable diseases; Poliomyelitis; Venereal diseases.)	
J.	
Jails—	
(See also Convict camps; Prisoners.)	
Sanitary regulation—North Carolina.....	370
Sanitary supervision—North Carolina.....	369
Janitors—Schools—Physical examination—Ohio.....	401
Junk—Handling—Dwellings—Minnesota.....	241
Junk shops—In first-class cities—Licensing and regulation—Pennsylvania.....	453
K.	
Kansas.....	171
L.	
Labor commission—Inspectors—Duties—Delaware.....	95
Laboratories—	
(See also Foods and drugs; Venereal diseases.)	
Hygienic—Establishment and maintenance—Annual appropriation—Wisconsin.....	529
Inspection—New Jersey.....	280
Where live pathogenic germs are handled—Registration—New York.....	322
Laundry sacks—Washing—California.....	73
Laws—Public health—Applicants for license to practice medicine must know—Wisconsin.....	528
Lead work—Regulation—Pennsylvania.....	443
Leprosy—	
(See also Communicable diseases.)	
Appropriation—Indiana.....	146
Destruction of articles used by infected persons—Indiana.....	146
Notification of cases—Indiana.....	146
Quarantine—Indiana.....	146
Reporting escape from isolation—California.....	34
Transportation of infected persons—California.....	34
Libraries. (See Communicable diseases.)	
Lice—	
(See also Body lice; Typhus fever.)	
Infested pupils to be sent home—Wisconsin.....	533
Lighting—	
Code of, for factories—New Jersey.....	319
Dwellings—Minnesota.....	241
Hotels—Missouri.....	256
Live-stock inspections—Fees prohibited—Massachusetts.....	211
Lobar pneumonia. (See Pneumonia, lobar.)	
Lodging houses—	
Cleanliness—Connecticut.....	90
Receiving tuberculous persons—	
Furnishing and posting of sanitary laws and regulations—New York.....	323
Inspection—New York.....	323
Receptacles for garbage, refuse, and ashes—Connecticut.....	90
Louisiana.....	191
Launch counters—Licensing, inspection, and regulation—South Carolina.....	471
Lunch rooms—Female employees—Delaware.....	95
Lying-in hospitals. (See Hospitals.)	

	M.	Page.
Maine.....		193
Malaria. (<i>See</i> Communicable diseases.)		
Manufacturing establishments—		
(<i>See also</i> Children; Employment; Factories.)		
Dressing rooms and seats for females—Rhode Island.....		470
Privies—Rhode Island.....		470
Water-closets—Rhode Island.....		470
Manure—		
Disposal—Washington.....		521
Receptacles—Idaho.....		113
Markets—Licensing, inspection, and regulation—South Carolina.....		471
Marriages—		
(<i>See also</i> Vital statistics.)		
Antenuptial examination of males for venereal diseases—Wisconsin.....		528
Certificates regarding freedom from venereal diseases in communicable stage—Wisconsin.....		527
Publication—New Hampshire.....		277
Records—Certified copies—California.....		61
Registration—		
Arkansas.....		25
California.....		61
Iowa.....		166
Kansas.....		187
Statement regarding freedom from venereal diseases—New York.....		322
Venereally infected persons—		
New Jersey.....		299
Vermont.....		493
Maryland.....		203
Massachusetts.....		206
Maternity hospitals. (<i>See</i> Hospitals.)		
Mattresses—Manufacture, labeling, and sale—		
Indiana.....		162
Iowa.....		168
Michigan.....		232
Tennessee.....		477
Mausoleums—		
Construction and maintenance—Kansas.....		188
Construction and use—Pennsylvania.....		452
Meals—Time for—Canneries—California.....		74
Measles—		
(<i>See also</i> Communicable diseases.)		
Quarantine—Illinois.....		119
Meats—		
(<i>See also</i> Foodstuffs; Sausage.)		
Chopped—Manufacture—Penalty for conducting without a license—Massachusetts.....		212
Definition—Pennsylvania.....		445
Exposure—Pennsylvania.....		445
Inspection—Vermont.....		502
Transportation—Michigan.....		231
When deemed unwholesome—Pennsylvania.....		445
Meat handlers—Certificate of health—North Dakota.....		377
Meat food products—		
Definition—Pennsylvania.....		445
Exposure—Pennsylvania.....		445
When deemed unwholesome—Pennsylvania.....		445
Mechanical devices for cure of certain diseases—Sale or advertising—North Carolina.....		368
Medical work—Appropriation—Philippine Islands.....		455
Membranous croup. (<i>See</i> Communicable diseases.)		
Meningitis. (<i>See</i> Cerebrospinal meningitis; Communicable diseases; Serums.)		
Mental defectives—Sterilization—		
Kansas.....		188
Oregon.....		437
South Dakota.....		473
Mercantile establishments—		
Dressing rooms and seats for females—Rhode Island.....		470
Privies—Rhode Island.....		470
Water-closets—Rhode Island.....		470

	Page.
Merchandise—Prevention of spread of communicable diseases through—Oregon	423
Methyl alcohol. (<i>See</i> Wood alcohol.)	
Michigan	224
Midwives—	
Licensing—Washington	518
Qualifications—New York	351
Registration—North Carolina	358
Milk—	
(<i>See also</i> Dairies.)	
By-products—Pasteurization—New Jersey	302
Classification—Massachusetts	210
Dealers—License in first-class cities—Pennsylvania	444
Evaporated and condensed—	
Manufacture and sale—Oregon	431
Sale—New York	331
Grading—	
California	45, 46
Indiana	161
Massachusetts	210
Handling and sale when communicable diseases exist—	
New Jersey	280
Washington	505
Labeling—Indiana	161
Pasteurization—Date of—California	45
Pasteurization plants—	
Investigation—Connecticut	91
License—New Jersey	300
Sanitary regulation—New Jersey	300
Pasteurized—	
Definition—Massachusetts	211
Sale—Massachusetts	211
Production and sale—Louisiana	191
Production, care, and sale—Mississippi	252
Sale—Connecticut	85
Sale from premises where typhoid fever exists—North Carolina	362
Sale, handling, and destruction in cases of communicable diseases—Oregon	410
Standard of, as paying basis in creameries and cheese factories—Vermont	501
Standardization—New Hampshire	275
Standards—Percentage of solids and fat—Massachusetts	211
Milk and cream—	
Bacteria counts—California	45
Dealers—Licensing and bonding—New Jersey	296
Grades and requirements—New York	328
Persons testing—Examination—Connecticut	85
Production and sale—Powers of municipalities—New York	331
Production, care, and sale—	
Appeals to and from board for regulation of—Connecticut	84
Board to regulate—Connecticut	84
Receiving stations—	
Correction of insanitary conditions—Vermont	501
Inspection—Vermont	501
Receptacles—	
Cleanliness—Missouri	255
Marking and labeling—Missouri	255
Sale from places where communicable diseases exist—Iowa	110
Milk and milk products—	
Bottles and containers—Marking and cleanliness—Oregon	432
Communication by persons handling, with places where communicable disease exists—	
Louisiana	191
Insanitary—Sale—Connecticut	84
Pasteurization—Oregon	430
Production, care, and sale—California	46
Sale—	
From premises where communicable diseases exist—Idaho	110
New Hampshire	275
Where communicable diseases exist—Kansas	171

	Page.
Milk inspection departments—Local—Approval—California.....	45
Milk inspection service—Local—California.....	46
Mines—	
Prevention of dust in—Idaho.....	112
Privies—Alaska.....	21
Ventilation—Alaska.....	21
Minnesota.....	235
Mississippi.....	252
Missouri.....	255
Morbidity reports—	
Cerebrospinal meningitis—North Carolina.....	358
Communicable diseases—	
California.....	27, 32
Florida.....	99
Georgia.....	103
Idaho.....	107
On dairy farms.....	110
Kansas.....	171
Maine—In unorganized townships.....	193
Maryland.....	203
Massachusetts.....	206
Certain diseases on premises where milk is handled for sale.....	206
Certain diseases when caused by infected milk.....	206
Minnesota.....	235
New Jersey.....	280
New York.....	320
North Carolina.....	355
Oregon.....	410
Porto Rico.....	457
Washington.....	505
Wisconsin—Penalty for failure to report.....	524
Industrial diseases—Act requiring reports repealed—California.....	38
Leprosy—Indiana.....	146
Ophthalmia neonatorum—	
Delaware.....	92
Minnesota.....	235
North Carolina.....	358
Paratyphoid fever—California.....	27
Pneumonia—Maryland.....	203
Pneumonia, lobar—	
California.....	27
Massachusetts.....	206
Rocky Mountain spotted fever—California.....	27
Smallpox—California.....	29
Tuberculosis—	
Illinois.....	114
Indiana.....	145
Typhus fever—Illinois.....	116
Veneral diseases—	
California.....	34
Illinois.....	119
Maine—In institutions.....	193
Massachusetts.....	206
New Jersey.....	289
Vermont.....	493
Wisconsin.....	526
Mosquito breeding—Prevention—Hotels—North Carolina.....	366
Mosquito-breeding places—	
Elimination—Connecticut.....	88
Prohibited—New Jersey.....	314
Mumps. (See Communicable diseases.)	
	N.
Narcotic drugs. (See Drugs—Habit-forming.)	
Nebraska.....	263
Negroes. (See Hospitals.)	
Nevada.....	267

	Page.
New Hampshire.....	274
New Jersey.....	280
New York.....	320
North Carolina.....	355
North Dakota.....	376
Notifiable diseases—	
(See also Communicable diseases.)	
Display of card containing list of—Wisconsin.....	528
Notification of cases of disease. (See Morbidity reports.)	
Nuisances—	
Abatement—	
Indiana.....	162
Kansas.....	188
Maryland.....	203
Definition—Kansas.....	188
Maintenance outside State by corporations—New York.....	352
Maintenance prohibited—New Jersey.....	314
Within one-half mile of military camp—Abatement—Illinois.....	143
Nurses—	
Examination and registration—California.....	71
Funds derived from.....	71
Public health—	
Duties—	
Montana.....	259
Wisconsin.....	530
Employment—	
Montana.....	259
Wisconsin.....	530
School—	
Duties—Montana.....	260
Employment—Montana.....	259
Visiting community—	
Duties—Nebraska.....	265
Employment—Nebraska.....	265
Tax levy for—Nebraska.....	265
Nursing—	
By tuberculous persons—Illinois.....	114
School of—Establishment in Southern Islands hospital division—Philippine Islands.....	455
O.	
Occupational diseases. (See Industrial diseases.)	
Offensive trades—	
Inspection—Kansas.....	190
Permits—Idaho.....	113
Sanitary regulation—Kansas.....	190
Ohio.....	381
Oklahoma.....	404
Old-age insurance—	
(See also Health insurance; Social insurance.)	
Investigation—Ohio.....	402
Ophthalmia neonatorum—	
(See also Communicable diseases.)	
Annual appropriation—North Carolina.....	358
Duties of health authorities—North Carolina.....	358
Notification of cases—	
Delaware.....	92
Minnesota.....	235
North Carolina.....	358
Prevention—	
Delaware.....	92
Minnesota.....	235
North Carolina.....	358
Oregon.....	410
Overcrowding—	
Dwellings—Minnesota.....	241
Schools—Idaho.....	112

Oysters— (<i>See also</i> Shellfish.)	Page.
Production and preparation for shipment—Supervision—Connecticut.....	86
P.	
Paragonimiasis. (<i>See</i> Communicable diseases.)	
Paratyphoid fever— (<i>See also</i> Communicable diseases.)	
Notification of cases—California.....	27
Patent medicines—	
Analysis—Philippine Islands.....	455
For cure of certain diseases—Sale or advertising—North Carolina.....	368
Labeling and sale—Philippine Islands.....	455
Poisonous—For destruction of vermin—Sale and labeling—Louisiana.....	192
Pathogenic germs— (<i>See also</i> Bacteria.)	
Live—	
Registration of laboratories and places where handled—New York.....	322
Sale and transportation—New York.....	322
Pennsylvania.....	442
Philippine Islands.....	454
Placarding. (<i>See</i> Body lice; Communicable diseases; Typhus fever; Venereal diseases.)	
Plague. (<i>See</i> Communicable diseases; Rodents.)	
Plants—Investigation of medicinal properties and value of—Hawaii.....	106
Plumbers—	
Examination and licensing—Colorado.....	78
Examination, certification, and registration—California.....	72
Plumbing—	
Deputy State inspectors—Appointment, powers, and duties—Ohio.....	383
Dwellings—Minnesota.....	241
Inspection and regulation—Colorado.....	78
Plumbing inspector—State—Appointment, powers, and duties—Ohio.....	383
Pneumonia— (<i>See also</i> Communicable diseases; Pneumonia, lobar; Serums.)	
Notification of cases—Maryland.....	203
Pneumonia, lobar— (<i>See also</i> Communicable diseases; Pneumonia.)	
Notification of cases—	
California.....	27
Massachusetts.....	206
Substituted for "pneumonia"—California.....	27
Poisons. (<i>See</i> Patent medicines.)	
Poliomyelitis— (<i>See also</i> Communicable diseases.)	
Isolation of children having fever when disease is present—Minnesota.....	236
Quarantine—California.....	34
Porto Rico.....	457
Precautions by patients. (<i>See</i> Tuberculosis.)	
Precautions by physicians or attendants. (<i>See</i> Communicable diseases; Smallpox; Typhus fever.)	
Premises—	
Insanitary conditions—Removal—Washington.....	520
Sanitary regulation—	
Housing act—Minnesota.....	241
Powers of local authorities—Texas.....	482
Prison hospital—Tuberculosis and other communicable diseases—Philippine Islands.....	454
Prisoners— (<i>See also</i> Convict camps; Jails.)	
Examination for tuberculosis—North Carolina.....	362
Physical and mental examination—North Carolina.....	369
Tuberculous—	
Reports regarding—North Carolina.....	362
Treatment—North Carolina.....	362
Privies— (<i>See also</i> Toilets; Water-closets.)	
Construction—Idaho.....	110
Construction and maintenance—New Jersey.....	314

Privies—Continued.

	Page.
Dwellings—Minnesota.....	241
Female employees—Delaware.....	95
Hotels—	
Maine.....	200
Missouri.....	256
North Carolina.....	366
Location—Kansas.....	187
Manufacturing and mercantile establishments—Rhode Island.....	470
Mines—Alaska.....	21
Schools—Idaho.....	111, 112
When declared nuisances—Abatement—Maryland.....	203
Proprietary medicines. (See Patent medicines.)	
Prostitution—	
(See also Venereal diseases.)	
Suppression—Oregon.....	423
Prune yards—Sanitary regulation—Oregon.....	440
Public health council—	
Connecticut.....	82
Maine.....	195
Ohio.....	381
Public health districts—	
(See also Health districts; Sanitary districts.)	
Boards of health—Members, powers, and duties—Illinois.....	128
Health officers—Powers and duties—Illinois.....	128
Organization—Illinois.....	128
Taxes—Illinois.....	128
Pupils—	
(See also Communicable diseases; Schools.)	
Defective eyes and teeth—Care and treatment—Pennsylvania.....	442
Dental defects or conditions arising therefrom—Notification and treatment—Rhode Island.....	468
Examination for certain physical defects—Nevada.....	273
Medical inspection—North Dakota.....	376
Physical defects—Treatment—North Carolina.....	365
Physical examination—	
North Carolina.....	365
Ohio.....	401
Physical training—Rhode Island.....	468
Unclean or infested with lice or other vermin—To be sent home—Wisconsin.....	533

Q.

Quarantine. (See Animals; Body lice; Cerebrospinal meningitis; Communicable diseases; Domestic animals; Leprosy; Measles; Poliomyelitis; Rabies; Smallpox; Typhus fever; Venereal diseases.)

Quarantine officers—

(See also Health officers.)

County—

Appointment, duties, and salaries—North Carolina.....	355
Duties regarding communicable diseases—North Carolina.....	360
Investigation of suspected unreported communicable disease cases—North Carolina.....	361

R.

Rabies—

(See also Communicable diseases; Dogs.)	
Control—Utah.....	487
Quarantine—Utah.....	487
Treatment of indigent persons—Texas.....	480
Rabies commission—State—	
Appropriation—Nevada.....	267
Creation and duties—Nevada.....	267
Rag shops—In first-class cities—Licensing and regulation—Pennsylvania.....	453
Rags—Handling—Dwellings—Minnesota.....	241
Railroad coaches—	
(See also Common carriers.)	
Temperature—Mississippi.....	254
Thermometers—Mississippi.....	254

Refuse—		
Collection and disposal—		Page.
In towns—New York.....		350
In villages—New York.....		350
Disposal—		
Assistance to persons, corporations, or municipalities—Connecticut.....		90
Approval of plans—Minnesota.....		237
Commission to assist State board of health—Connecticut.....		91
Hotels—Maine.....		200
In municipalities—New Jersey.....		313
Powers of municipalities—New Jersey.....		302
Receptacles—		
Dwellings—Minnesota.....		241
Tenement lodging, and boarding houses—Connecticut.....		90
Removal from jointly owned land—Connecticut.....		89
Regulations—		
(See also Sanitary code.)		
Communicable diseases—North Carolina.....		355
Public health—Applicants for license to practice medicine must know—Wisconsin.....		522
State board of health—		
All prior regulations repealed—Washington.....		517
Minnesota.....		236
Rendering plants—Sanitary regulation—Making and enforcement of regulations governing—Wisconsin.....		549
Restaurants—		
Cleanliness—Wisconsin.....		539
Common drinking cups—Wisconsin.....		539
Drinking fountains—Wisconsin.....		539
Foodstuffs—Protection—Oregon.....		436
Garbage—Oregon.....		436
License—Arkansas.....		23
Licensing, inspection, and regulation—South Carolina.....		471
Water and sewer connections—Wisconsin.....		539
Rhode Island.....		468
Rocky Mountain spotted fever—		
(See also Communicable diseases.)		
Notification of cases—California.....		27
Rodents—Extermination—California.....		38
Rooming houses—License—Arkansas.....		23
Rooms used as workshops—		
Inspection—New Jersey.....		315
License—New Jersey.....		315
Sanitary regulation—New Jersey.....		315
Rural sanitation—		
Annual appropriation—North Carolina.....		363
Appropriations—Texas.....		480
S.		
Sanatoria. (See Hospitals.)		
Sanitary code—		
(See also Regulations.)		
Connecticut.....		82
Definition of terms—New Jersey.....		280
Ohio.....		381
Sanitary districts—		
(See also Health districts; Public health districts.)		
Composed of certain cities—Indiana.....		147
Connecticut.....		82
Organization and management—Illinois.....		131
Sewage disposal—Illinois.....		131
Sanitary engineers—County—Appointment and duties—Ohio.....		394
Sanitary napkins—Canneries—California.....		74
Sanitation service—Reorganization—Porto Rico.....		458
Sausage—		
(See also Meat.)		
Manufacture—Penalty for conducting, without a license—Massachusetts.....		212
When deemed adulterated—Massachusetts.....		211

Scarlet fever. (See Communicable diseases.)

Schools—

(See also Communicable diseases; Janitors; Nurses; Pupils; Teachers; Tuberculosis.)

	Page.
Cleaning—Idaho.....	112
Common drinking cups—Idaho.....	112
Common towels—Idaho.....	112
Construction—Idaho.....	111
Drinking water—Idaho.....	111, 112
In counties—Examination into sanitary condition—Idaho.....	113
Medical inspection—Adoption of act relating to, by school districts—New Hampshire.....	277
Overcrowding—Idaho.....	112
Privies—Idaho.....	111, 112
Rural—Furnishing of plans and specifications for—Nevada.....	273
Sanitation—Kansas.....	171
Ventilation—Idaho.....	112
Water-closets—Idaho.....	111, 112

Screening—Hotels—

North Carolina.....	366
Oregon.....	436

Seats—Female employees—

Delaware.....	95
Rhode Island.....	470

Second-hand paper shops—In first-class cities—Licensing and regulation—Pennsylvania..... 453

Seeds, foul—Depositing on highways or in inland waters—Michigan..... 233

Septic sore throat. (See Communicable diseases.)

Serums—

Antimeningococcus—Sale—New York.....	323
Antipneumococcus—Sale—New York.....	323

Sewage—

(See also Excrement.)

Disposal—

Approval of plans—Minnesota.....	237
Assistance to persons, corporations, or municipalities—Connecticut.....	90
Commission to assist State board of health—Connecticut.....	90
Connecticut.....	89
In certain cities—Indiana.....	147
In counties—Ohio.....	394
In municipalities—	
New Jersey.....	313
New York.....	341
Maine.....	198
Oklahoma.....	404
Prevention of pollution of drinking water—Washington.....	518
Sanitary districts—Illinois.....	131
Wisconsin.....	538
Disposal plants—Joint use by counties and municipalities—Ohio.....	400
Pollution of water supplies and streams—Investigation—Wisconsin.....	538
Prevention of pollution of Ellis and Wildcat Rivers—New Hampshire.....	276

Sewer connections—

Dwellings—Minnesota.....	241
In cities and incorporated villages—Wisconsin.....	539
In villages—	
Minnesota.....	238
New York.....	347
Restaurants—Wisconsin.....	539

Sewer districts—

Establishment and maintenance—Ohio.....	394
In villages—New York.....	347

Sewers—

Joint use by counties and municipalities—Ohio.....	400
Powers of municipalities—New Jersey.....	303

Sexual ailments—

(See also Venereal diseases.)

Advertisements—New York.....	322
------------------------------	-----

Sexual intercourse—By venereally infected persons—New Jersey..... 290

Shellfish—	
<i>(See also Oysters.)</i>	
Duties of State board of health—California.....	Page. 53
Taking from contaminated sources—California.....	53
Shower baths— Foundries—Tennessee.....	479
Sickness prevention— Investigation—Ohio.....	402
Slaughterhouses—	
Insanitary conditions—Michigan.....	231
Inspection—	
Kansas.....	190
Michigan.....	231
Powers of municipalities—New Jersey.....	303
Unwholesome food—Michigan.....	231
Slaughtering—	
Inspection of animals—California.....	51
Marking of carcasses—California.....	51
Smallpox—	
<i>(See also Communicable diseases.)</i>	
Contacts—California.....	29
Disinfection—California.....	29
Instructions to household—California.....	29
Investigation—California.....	29
Notification of cases—California.....	29
Precautions by physicians—California.....	29
Quarantine—California.....	29
Vaccination—	
California.....	29
New Jersey.....	280
Social insurance—	
<i>(See also Health insurance; Old-age insurance.)</i>	
Commission on—Powers and duties—Wisconsin.....	547
Investigation—	
California.....	73
Massachusetts.....	223
Wisconsin.....	546
Soda fountains— Installation and operation—North Dakota.....	380
Soda water— Bottling and sale—Connecticut.....	87
Soda water beverages— Manufacture and bottling—Licenses—Wisconsin.....	535
South Carolina.....	471
South Dakota.....	472
Street cleaning— Powers of municipalities—New Jersey.....	303
Swimming pools—	
Construction and maintenance—Indiana.....	164
Construction and operation—Permits—California.....	70
Supervision—California.....	70
When deemed nuisances—California.....	70
Syphilis. <i>(See Communicable diseases; Venereal diseases.)</i>	
T.	
Teachers—	
<i>(See also Communicable diseases; Pupils; Schools.)</i>	
Physical examination—Ohio.....	401
Tenement houses—	
Cleanliness—Connecticut.....	90
Receptacles for garbage, refuse, and ashes—Connecticut.....	90
Tennessee.....	474
Tetanus. <i>(See Communicable diseases.)</i>	
Texas.....	480
Thermometers— Railroad coaches—Mississippi.....	254
Tiquitiqui extract— Manufacture, distribution, and sale—Appropriation—Philippine Islands.....	454
Tobacco factories—	
Employees—Certificates of health—Porto Rico.....	464
Sanitary regulation—Porto Rico.....	464
Toilets—	
<i>(See also Privies; Water-closets.)</i>	
Canneries—California.....	74
Factories—New York.....	353
Foundries—Missouri.....	258

Toilets—Continued.	
Hotels—	Page.
Oregon.....	436
Wisconsin.....	539
Installation in villages—Minnesota.....	238
Location, construction, and cleanliness—Washington.....	520
Places of employment—Location and construction—Wisconsin.....	540
Public buildings—Location and construction—Wisconsin.....	540
Towels. (See <i>Common towels</i> ; <i>Individual towels</i> .)	
Towns—Supervision of sanitation in—California.....	32
Trachoma. (See <i>Communicable diseases</i> .)	
Trichinosis. (See <i>Communicable diseases</i> .)	
Tuberculin—	
(See also <i>Dairy cattle</i> .)	
Sale and use—Reports to live-stock commissioner—Vermont.....	493
Tuberculosis—	
(See also <i>Boarding houses</i> ; <i>Camps</i> ; <i>Cattle</i> ; <i>Communicable diseases</i> ; <i>Dairy cattle</i> ; <i>Dairy herds</i> ; <i>Dispensaries</i> ; <i>Hospitals</i> ; <i>Lodging houses</i> ; <i>Tuberculin</i> ; <i>Tuberculosis commission</i> .)	
Disinfection—Illinois.....	114
Duties of State board of health—Indiana.....	145
Examination of prisoners, for—North Carolina.....	362
Hospital care by counties of certain patients—Massachusetts.....	207
Hospital treatment for indigent and semi-indigent persons—New Hampshire.....	274
Indigent patients—Care—	
Delaware.....	94
Vermont.....	493
Infected prisoners—	
Reports regarding—North Carolina.....	362
Treatment—North Carolina.....	362
Inspection of homes—Illinois.....	114
Instructions to household—Illinois.....	114
Investigation—New Hampshire.....	274
Notification of cases—	
Illinois.....	114
Indiana.....	145
Notification of death or removal—Illinois.....	114
Nursing by persons infected with—Illinois.....	114
Precautions by patient—Illinois.....	114
Pulmonary and laryngeal—Prevention and suppression—Rhode Island.....	468
Sale of foodstuffs from premises where present—Illinois.....	114
Schools—Illinois.....	114
Sputum examination—Illinois.....	114
Subsidies to cities and towns—Massachusetts.....	208
Tuberculosis commission—State—	
Annual appropriation—Delaware.....	94
Powers and duties—Delaware.....	94
Typhoid fever—	
(See also <i>Communicable diseases</i> .)	
Disinfection of feces and urine—North Carolina.....	362
Sale of milk and foodstuffs from premises where present—North Carolina.....	362
Vaccination—New Jersey.....	280
Typhus fever—	
(See also <i>Body lice</i> ; <i>Communicable diseases</i> .)	
Delousing—Illinois.....	116
Disinfection—Illinois.....	116
Notification of cases—Illinois.....	116
Placarding—Illinois.....	116
Precautions by physician or attendant—Illinois.....	116
Quarantine—Illinois.....	116
Removal of infected persons—Illinois.....	116
U.	
Urinals—Dwellings—Minnesota.....	241
Utah.....	487

V.

Vaccination. (*See* Smallpox; Typhoid fever.)

Venereal diseases—

(*See also* Communicable diseases; Prostitution; Sexual ailments.)

	Page.
Advertisements—New York.....	322
Advice to patients—Massachusetts.....	206
Antenuptial examination of males for—Wisconsin.....	528
Certificates regarding freedom from, in communicable stage before securing marriage license— Wisconsin.....	527
Circular of information for patient—New York.....	321
Communicable disease regulations to govern—Washington.....	516
Control—	
California.....	34
Illinois.....	119
Dispensaries—Standards—California.....	37
Distribution of information—Maine.....	193
Educational campaign—Vermont.....	493
Examination of suspected cases—Oregon.....	423
Freedom from—Statement from parties to a marriage—New York.....	322
Hospitals—Standards—California.....	37
Inspectors—California.....	34
Instructions to patient—	
California.....	34
New York.....	321
Investigation—	
California.....	34
Illinois.....	119
In State institutions—Connecticut.....	82
Oregon.....	423
Isolation—	
Maine—In institutions.....	193
Oregon.....	423
Laboratory tests—	
Maine—In institutions.....	193
New Jersey.....	289
Wisconsin.....	526
Literature—W.....	526
Marriage of in' arsons—Vermont.....	493
Marriage or sex intercourse by infected persons—New Jersey.....	290
Notification of cases—	
California.....	34
Illinois.....	119
Maine—In institutions.....	193
Massachusetts.....	206
New Jersey.....	289
Vermont.....	493
Wisconsin.....	526
Placarding—Illinois.....	119
Prevention—Kansas.....	171
Quarantine—	
Illinois.....	119
New Jersey.....	289
Oregon.....	423
Reports of unusual prevalence or conditions—California.....	34
Specimens for diagnosis—California.....	34
Treatment—	
Maine—In institutions.....	193
New Jersey.....	289
Wisconsin.....	526
Ventilation—	
Dwellings—Minnesota.....	241
Hotels—	
California.....	69
Maine.....	200
Missouri.....	256

	Page.
Ventilation—Continued.	
Mines—Alaska.....	21
Places where females are employed—Delaware.....	95
Schools—Idaho.....	112
Vermine—	
Extermination—California.....	38
Infested pupils to be sent home—Wisconsin.....	533
Poisonous patent medicines for destruction of—Sale and labeling—Louisiana.....	192
Vermont.....	433
Vinegar—Samples for analysis—Taking—Massachusetts.....	212
Vital statistics—	
(See also Births; Deaths; Marriages.)	
Bureau—	
Establishment—California.....	61
Maintenance—California.....	40
State registrar—	
Appointment, powers, and duties—California.....	61
Duty—California.....	40
W.	
Wall paper—Removal—	
Minnesota.....	241
Montana.....	261
Washington.....	505
Water connections—	
Dwellings—Minnesota.....	241
In cities and incorporated villages—Wisconsin.....	539
In villages—Minnesota.....	238
Restaurants—Wisconsin.....	539
Water supplies—	
(See also Drinking water; Drinking water receptacles; Watercourses.)	
Analysis—Montana.....	261
Approval of plans—Minnesota.....	237
Construction, maintenance, and operation in counties—Ohio.....	389
Dwellings—Minnesota.....	241
Hotels—	
Maine.....	200
North Carolina.....	366
Impure—Furnishing—California.....	58
Notice to boil raw untreated water—Montana.....	261
Owned by individuals—Examinations of and advice regarding—Massachusetts.....	222
Polluted—New Jersey.....	314
Pollution—	
Penalty—	
Maine.....	199
Maryland.....	203
Prevention—	
California.....	55
Kansas.....	187
Maine.....	198
Montana.....	261
Ohio.....	387
Oklahoma.....	404
Powers of municipalities—New Jersey.....	392
Sewage pollution—Investigation—Wisconsin.....	538
Water-closets—	
(See also Privies; Toilets.)	
Dwellings—Minnesota.....	241
Female employees—Delaware.....	95
Hotels—	
Missouri.....	256
North Carolina.....	366
Manufacturing and mercantile establishments—Rhode Island.....	470
Schools—Idaho.....	111, 112
When declared nuisances—Abatement—Maryland.....	203

Watercourses—	
(See also Water supplies.)	
Pollution—	Page.
Legal proceedings to prevent or restrain—Nevada.....	272
Prevention—Nevada.....	272
Sewage pollution—Investigation—Wisconsin.....	538
Water-works systems—	
Construction—Oklahoma.....	404
Construction and operation—Ohio.....	387
Weeds—	
Depositing on highways or in inland waters—Michigan.....	233
Noxious—	
Destruction—Kansas.....	190
Extermination—Oregon.....	438
West Virginia.....	523
White diarrhea in fowls—Laboratory tests to detect—Vermont.....	494
Whooping cough. (See Communicable diseases.)	
Wiping rags—Washing—California.....	74
Wisconsin.....	524
Wood alcohol—	
Labeling—Illinois.....	141
Preparations containing—	
Labeling—Illinois.....	141
Sale—Vermont.....	503
Sale or possession—Illinois.....	141
Workshops—Rooms and apartments used as—	
Inspection—New Jersey.....	315
License—New Jersey.....	315
Sanitary regulation—New Jersey.....	315
Wyoming.....	550

Y.

Yellow fever. (See Communicable diseases.)



8.
72
72
38

04
87

23

90
38
23
04

74
24

41

41
03
41

15
15
15
50